United Nations S/2006/757

Security Council

Distr.: General
21 September 2006

Original: English

Letter dated 20 September 2006 from the Permanent Representative of Romania to the United Nations addressed to the President of the Security Council

I am writing to you with regard to the Security Council meeting of September 2006, on the item entitled "Cooperation between the United Nations and regional organizations in maintaining international peace and security", to kindly request that the attached statement that Mihai-Răzvan Ungureanu, Minister for Foreign Affairs of Romania, was unable to deliver in person during the meeting be issued as a document of the Security Council (see annex).

(*Signed*) Mihnea **Motoc**
Ambassador Extraordinary and Plenipotentiary

06-53062 (E) 270906

Annex to the letter dated 20 September 2006 from the Permanent Representative of Romania to the United Nations addressed to the President of the Security Council

Statement by Mihai-Răzvan Ungureanu, Minister for Foreign Affairs of Romania

It is an utmost pleasure for me to speak before you on this day, almost one year since I presided over the Security Council meeting on the same issue. Indeed, it is fulfilling to see that our efforts to promote cooperation between the United Nations and regional organizations have not been left without an echo. In this regard, I feel compelled to extend my deepest appreciation to you, Madame President, as your country's commitment to the subject at hand could not have come at a better time. Romania and Greece are at the far ends of a complex region — the Balkan Peninsula — which, despite its share of challenges, has recently displayed exemplary regional cooperation and efficient interaction of regional and global levels.

I would also like to salute the presence early on of the United Nations Secretary-General and commend his excellent report on the regional-global security partnership. The report was submitted in response to Security Council resolution 1631 (2005), which, I am proud to say, was initiated and successfully promoted by my country. Today, as we come to grasp how clearly the Secretary-General has mapped the challenges and opportunities we face in strengthening the regional-global security partnership, I strongly believe in the mission of this process.

The members of the Security Council now possess new and better instruments to build on the momentum that has been generated in promoting cooperation with regional organizations in the service of peace and security. Apart from the recommendations included in the Secretary-General's Report, the establishment of the Peacebuilding Commission — a forum where regional and subregional organizations are expected to play a significant role — represents a key development.

Since Romania aligned itself with the statement that was delivered by the distinguished Foreign Minister of Finland on behalf of the European Union, I will reserve my remarks only to highlight three points which, in my view, need to be emphasized at this stage. They all figure prominently within the challenges identified by the Secretary-General's Report.

The first concerns the clarification of identities and roles of actors involved in the security cooperation of United Nations-regional entities. The world is still far from a uniformly structured system of organizations, clearly identified by their geographical or political vocation. The matter of relevance of each chapter of the Charter of the United Nations under which these organizations could contribute to maintaining peace and security is — we believe — less important than ensuring the best possible contribution from them.

As we are all aware, the global pool of resources is presently quite stretched out, hence maximizing and integrating all efforts is increasingly an imperative. Clarifying the mechanism for strengthening the global-regional partnership means, in our view, enhanced two-way communication and early warning, swifter decision-making processes and more effective marshalling of resources in times of crisis or conflict.

We are encouraged that the Security Council and the United Nations Secretariat have already taken steps to expand consultations and cooperation with regional and subregional organizations. Further measures are needed and we soon hope to see the day when regional actors will be frequent guests at Council's meetings discussing regionally relevant agenda items.

The second point which I would like to touch upon regards the issue of capacity-building. There is consensus on the potential of regional and subregional organizations in maintaining peace and security. We must, however, admit that in many cases there are constraints due to lack of funds and other resources, or organizational and operational capacity. The United Nations and the Security Council must encourage regional organizations to assume ownership as much as possible but should also seek to actively assist the capacity-building of such partner organizations.

Furthermore, regional entities have a great deal of expertise to share with one another. From electoral supervision to security sector reform, from economic development in countries emerging from conflict to regional law enforcement, from border control to the establishment of the rule of law, the lessons learned and best practices could be made available more systematically from one region to another. This is a process which could and should be facilitated by the United Nations, eventually through a dedicated structure within the Secretariat or an ad hoc working group including regional organizations and interested Member States.

Thirdly, we believe that one of the greatest challenges to the security environment — and the United Nations, in particular — is conflict prevention. The potential of this eminently peaceful tool is tremendous, yet it still has to be systematically pursued.

In this regard, Romania welcomes the recent report of the Secretary-General on the prevention of armed conflict. Moreover, we fully agree with the Secretary-General that the Security Council should consider making conflict prevention a priority area in developing its future interaction with regional organizations.

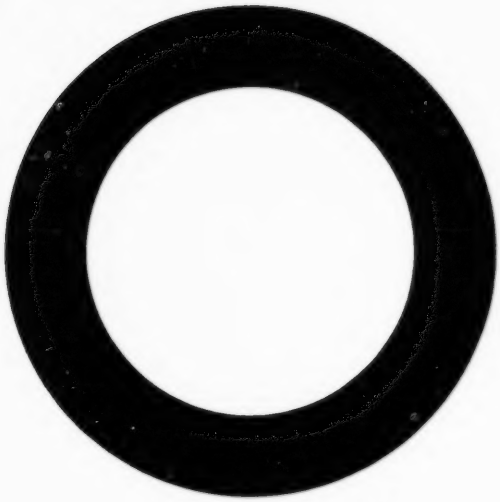
Regional organizations have a key role to play in preventing conflicts within their areas, for it is often the case that preventive action by regional arrangements is the timeliest and most appropriate response to imminent conflicts or relapses into conflict.

One example that I recall from the Western Balkans is the successful mediation in recent times of the "Ohrid Agreement". Three organizations with a regional focus — namely, the European Union, NATO and the Organization for Security and Cooperation in Europe — have played a catalytic role in this effort. Swift and coordinated action from these organizations, along with individual nations such as the United States, averted another trauma in the region, possibly saved hundreds of millions of Euros of peacekeeping operations and, most importantly, put a country on a solid path to democracy, and European and Euro-Atlantic integration.

Unfortunately, diplomatic action in the case of protracted conflicts in the Black Sea — Caucasus area — has yet to bear the same kind of fruitful result. I am referring to more than 15 years of stagnation, and consequent frustration, related to pending situations in the Republic of Moldova (region of Transnistria), Georgia (regions of Abkhazia and South Ossetia) and Azerbaijan (region of Nagorny-Karabakh).

It seems that "freezing" those conflicts for a long period of time, instead of putting earlier, more collaborative efforts into solving them, was not the best approach, for the situations there have slowly but steadily deteriorated, and the threats to international peace and security remain very much alive. Thus, we can only hope that fresh new inputs from regional organizations and actors — Romania included — will alleviate the pain and sorrow of vast populations in this area, whose legitimate expectations and dreams of a better, peaceful life, have been kept arrested by the above-mentioned conflicts.

From a historical perspective, we have to give due credit, time and again, to the tremendous foresight of the Charter's founding fathers, who envisioned a global-regional cooperative approach to peace and security, at a time when regionalism was anything but the driving force it is in today's world. Given the far-reaching implications and effects of an enhanced regional-global security partnership, it is our genuine hope that the current theme will be taken up by another distinguished member of the Council next year, so as to fulfil the intention expressed in resolution 1631 (2005), that is, to hold regular meetings with Heads of regional and subregional organizations in order to strengthen the interaction and cooperation with these organizations.



United Nations S/2006/758

Security Council

Distr.: General
22 September 2006

Original: English

United States of America: draft resolution

The Security Council,

Recalling its previous resolutions, in particular resolutions 1706 (2006) of 31 August 2006, 1679 (2006) of 16 May 2006, 1663 (2006) of 24 March 2006, 1653 of 27 January 2006, 1627 of 23 September 2005 and 1590 (2005) of 24 March 2005, and the statements of its President, in particular that of 3 February 2006 (S/PRST/2006/5), concerning the situation in the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence, and territorial integrity of the Sudan and to the cause of peace,

Noting with deep concern the restrictions placed on movements and materiel of the United Nations Mission in the Sudan and the adverse impact such restrictions have on UNMIS' ability to perform its mandate effectively,

Expressing its grave concern over the continued deterioration of the humanitarian situation in Darfur, and *reiterating* in the strongest terms the need for all parties to the conflict in Darfur to put an end to the violence and atrocities in that region,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of UNMIS until 8 October 2006, with the intention to renew it for further periods;

2. *Decides* to remain actively seized of the matter.

06-53183 (E) 220906

United Nations S/2006/759

Security Council

Distr.: General
21 September 2006

Original: English

Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1635 (2005) of 28 October 2005, by which the Council extended the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 30 September 2006, and resolution 1565 (2004) of 1 October 2004, by which the Council requested me to keep it regularly informed of developments in the Mission area. This report covers major developments since my last report to the Council, dated 13 June 2006 (S/2006/390), and provides recommendations on the mandate of MONUC.

II. Political developments

Developments towards the holding of national elections

2. The first democratic elections in more than 40 years in the Democratic Republic of the Congo were held on 30 July 2006. During the preceding weeks, a number of political and civil society leaders, including the Conférence episcopale nationale du Congo (CENCO), raised concerns about the conduct and organization of the elections and called for the holding of national consultations to address them. On 27 June, the President of Gabon, Omar Bongo Ondimba, convened a meeting in Libreville of Congolese leaders, including the Chairperson of CENCO and several presidential candidates, to discuss issues related to the conduct of the campaign. On 30 June, the main political parties — except the People's Party for Reconstruction and Democracy (PPRD), the Union for Democracy and Social Progress (UDPS) and the Unified Lumumbist Party (PALU) — expressed concern about an alleged lack of impartiality and transparency in the electoral process, particularly regarding the number of supplementary ballot papers and the publication of the voters list. UDPS called for demonstrations in Kinshasa against the holding of the elections, and in Kasaï Oriental and Kasaï Occidental, UDPS supporters participated in a number of demonstrations including a "*ville morte*", and called for a boycott of the elections.

3. On 29 July, at an inter-institutional meeting, the *espace présidentiel*, the institutions in support of democracy and the Presidents of the two houses of the

06-52661 (E) 250906

Transitional Parliament discussed the timetable for the Provincial Assembly elections and a possible second round of the presidential election. It was agreed that for logistical and financial reasons the polls could not be held before the end of October. The Independent Electoral Commission subsequently published, together with the final list of the 13,500 candidates for the Provincial Assembly elections, the electoral calendar, which scheduled these elections for 29 October.

4. To lend moral authority to the five institutions in support of democracy and assist them in strengthening confidence in the electoral process, MONUC facilitated the establishment of the International Committee of Eminent Persons, which held its first meeting on 28 July under the chairmanship of the former President of Mozambique, Joachim Chissano. Currently the other committee members are the former Prime Minister of Senegal, Madior Boye; Judge Lewis Makame, Chairman of the National Electoral Commission of Tanzania and Kai Eide (Norway), who has served as my Special Representative in Bosnia and Herzegovina, and most recently as Permanent Representative of Norway to the North Atlantic Treaty Organization. The full composition of the Committee is being finalized.

The electoral campaign

5. On 29 June, the Independent Electoral Commission officially launched the month-long electoral campaign for the presidential and National Assembly elections, which took place in a generally peaceful atmosphere. While some candidates campaigned throughout the country, others did not have the financial means of doing so. This and other discrepancies, including the lack of legislation on the financing of political parties, led some candidates to question the fairness of the campaign. On 5 July, a group of 19 presidential candidates requested the suspension of the electoral campaign until alleged irregularities in the electoral process had been rectified.

6. Despite its generally peaceful and democratic character, the campaign was marked by a number of isolated violent incidents, including clashes between supporters of candidates in Kinshasa, Kindu and Mbandaka, and the destruction of candidates' posters and signs throughout the country. International observers also reported some cases of misconduct by national and local authorities, in particular through the misuse of security personnel to obstruct candidates they did not support, and by imposing bureaucratic and practical obstacles on their constitutionally guaranteed freedoms of movement and assembly. Despite efforts by the High Media Authority, there was a problem of inequitable access to media by candidates and politically biased coverage throughout the campaign, as well as intimidation of journalists in some areas.

7. On 27 July, presidential candidate Vice-President Jean-Pierre Bemba was met by a crowd of enthusiastic supporters on his return to Kinshasa following the completion of his campaign in other parts of the country. Many supporters followed him from the airport to downtown Kinshasa where he addressed a large rally. Clashes between the Vice-President's supporters and police were reported and shots were fired during a confrontation between the Vice-President's security guards and the Congolese National Police (PNC). Four people were reportedly killed and 17 injured. Several police stations were attacked and looted, and the properties of two individuals, reportedly supporters of President Kabila, were set on fire. The offices of the High Media Authority and the Human Rights Monitoring Commission were

looted and destroyed. A warehouse at the official residence of Vice-President Bemba in Kinshasa was also burnt down. PNC is investigating but has not yet determined whether the incident was accidental or related to the events of the day. Reports have been received of the deaths of a number of children of Bemba's guards at the compound. On 28 July, President Kabila addressed some 15,000 supporters in Kinshasa and no incidents were reported.

Election day and announcement of the provisional results

8. On 30 July, the presidential and National Assembly elections took place in a generally peaceful and orderly manner, amidst wide popular enthusiasm. Some 70.54 per cent of the more than 25 million registered voters participated, with a high turnout of women. The polls were observed by some 47,500 national observers, 466,000 political party witnesses and 1,773 international observers. The African Union, the Association of European Parliamentarians for Africa, the Carter Center, the Electoral Institute of Southern Africa, the European Union, the International Organization of la Francophonie, the Electoral Commissions Forum of the Southern African Development Community (SADC), and the SADC Parliamentary Forum, were among the organizations fielding observer missions. Several diplomatic missions in Kinshasa also fielded a number of observers.

9. Problems were experienced in approximately 239 of the 50,000 polling stations, all located in the Kasaïs: 172 polling stations in Kasaï Oriental, most of them in Mbuji-Mayi, experienced delivery delays following the burning of trucks delivering electoral material. Nine stations were set on fire. In Kasaï Occidental, violence between supporters of rival political candidates resulted in the destruction of 58 polling stations. As a result, polling in those stations took place on 31 July and 1 August, after the Independent Electoral Commission, with MONUC support, dispatched replacement material and PNC and MONUC reinforced security.

10. Counting began immediately after the closing of the polling stations and in most sites continued into the early hours of 31 July. After having posted the results at each polling station, results sheets and other important materials were transported to the local results compilation centres. This process was slowed by the transportation difficulties in the country. In Kinshasa, during the first few days after the vote, the centres were overwhelmed by the deliveries of huge quantities of ballot papers, which resulted in their careless handling in some cases. However, the Independent Electoral Commission addressed the situation and ensured order promptly, and the deadline for completing the compilation of presidential results within 14 days was met, allowing for the declaration of the provisional results on 20 August. The Independent Electoral Commission Media Centre was an important resource for the Commission communication strategy.

11. In a joint statement issued on 1 August, international electoral observer missions, while acknowledging some shortcomings, noted that they had been impressed by the strong voter turnout and high level of participation of political party witnesses and national observers. Electoral observers also raised a number of concerns about the results compilation process, including the burning of a number of used and unused ballots — after they had been counted — and other electoral material outside an election office in Kinshasa. While the incident did not affect the compilation of results, it could cast doubt on the validity of any recount, should it become necessary. In subsequent separate statements, observer missions noted areas

requiring improvement, including the collection of results, education of the public and candidates about the electoral process and the training of electoral workers.

12. The period between the elections on 30 July and the announcement of the provisional results on 20 August was rife with speculation about the electoral process, notably by candidate-owned or controlled media outlets. Several candidates expressed concern regarding alleged serious irregularities, emphasizing their intention not to accept the results unless they were investigated. The international community, including the International Committee in Support of the Transition (CIAT) and the International Committee of Eminent Persons, called for restraint, reaffirmed the role of the Independent Electoral Commission as the only institution authorized to release the official results, and reminded candidates of the mechanisms established for dealing with electoral claims and complaints. The Commission, in conjunction with the High Media Authority, also recalled its exclusive prerogative to compile and release the provisional results, and on 1 August, issued a joint statement condemning media outlets that had published unofficial results.

13. In the late afternoon, on 20 August, a few hours before the scheduled announcement of the provisional results, PNC and Vice-President Bemba's security guards exchanged fire in downtown Kinshasa. Intermittent fighting ensued into the evening also reportedly involving the Republican Guard, which is mandated to protect the President and presidential premises. Armed elements also fired at MONUC vehicles, including that of my Special Representative and his convoy. Following interventions by the international community, calm was restored late in the evening and the Independent Electoral Commission announced the provisional results of the presidential elections. In the days prior to the outbreak of violence, media outlets owned by Vice-President Bemba had aired programmes, which included personal attacks against President Kabila, who complained to MONUC, which urged Vice-President Bemba to stop such broadcasts. On 21 August, the media outlets of the Vice-President were shut down by supporters of President Kabila.

14. President Kabila won 44.81 per cent of the votes, followed by Vice-President Bemba (20.03 per cent), Antoine Gizenga (13.06 per cent) and Nzanga Mobutu (4.77 per cent). No single candidate won an absolute majority of the votes. Therefore, in accordance with the electoral law, President Kabila and Vice-President Bemba, being the two candidates with the highest percentage of the votes, would contest a run-off presidential election.

15. In the days leading up to the announcement of provisional results President Kabila and his Alliance pour la majorité présidentielle (AMP) increasingly advocated for the upholding of the provisions of article 71 of the Constitution, which they interpreted to stipulate that the second round of presidential elections must be held 15 days after the announcement of the first round. They also argued that the second presidential round should be separated from the Provincial Assembly elections, which they claimed would reduce overall costs and allow for an advancement of the date for holding the second round.

16. My Special Representative and CIAT underlined that article 71 of the Constitution states that if one candidate does not win an absolute majority of the votes in the first round, the Independent Electoral Commission would "proceed" to the second round within 15 days, i.e., first steps must be taken to organize the

elections. Moreover, separating the two rounds would duplicate logistical requirements and thus double the cost of holding them concurrently, and would not shorten the preparation time needed for each election.

17. On the morning of 21 August, at the request of my Special Representative, CIAT held a meeting, attended by the International Committee of Eminent Persons, to discuss concerns over the high level of tension between the supporters of President Kabila and Vice-President Bemba, and the call for the holding of the second presidential round 15 days after the announcement of the final results of the first.

18. Earlier in the day, the MONUC Force Commander was informed by the Chief of Defence Staff of the Armed Forces of the Democratic Republic of the Congo (FARDC) that troops would be deployed in Kinshasa to maintain law and order, and, in that regard, to forcibly disarm the security elements of the four Vice-Presidents. The Chief of Defence Staff was strongly advised that PNC should be allowed to maintain law and order and that discussions should be held with the Vice-Presidents in regard to any proposed disarmament of their security personnel. Vice-President Bemba also expressed deep concern to my Special Representative that the Republican Guard intended to attack his residence.

19. Shortly after the CIAT meeting had begun at the residence of Vice-President Bemba, small automatic and heavy arms fire was heard around the house, making it impossible for CIAT members to leave. MONUC troops, troops of the European Union force (Eufor R. D. Congo) and the MONUC Chief of Security were immediately alerted and moved to the area. My Special Representative established contact with President Kabila and his advisers, while the Force Commander established contact with the FARDC Chief of Staff. After discussions, two MONUC companies and one Eufor R. D. Congo company undertook a closely coordinated operation to extract CIAT members and stabilize the situation. Eufor R. D. Congo took action within its mandate in Kinshasa, as authorized by the Security Council in its resolution 1671 (2006) of 25 April, and deployed along a key section of the main boulevard in central Kinshasa.

20. MONUC and Eufor R. D. Congo troops dispatched in the vicinity reported that a company of the Republican Guard, with three armoured personnel carriers, one with a 90 mm mounted gun, and two howitzer guns, were assembled at a strategic junction on the 30 June Boulevard, apparently ready to advance towards the residence of the Vice-President. Meanwhile, small groups of the Republican Guard were seen in the area exchanging fire with a group of some 200 of Vice-President Bemba's guards, who were positioned among the houses around his residence. During the fighting, Vice-President Bemba's personal helicopter, located in the courtyard in front of his office building, approximately 300 metres from his residence, was destroyed.

21. From the outset, my Special Representative worked actively to arrange a cessation of hostilities and restore calm, including through arranging a direct telephone conversation between President Kabila and Vice-President Bemba. Meanwhile, the Secretary-General spoke with both Vice-President Bemba and President Kabila to warn them that the fighting was jeopardizing the achievements of the transitional process, and called for an immediate cessation of hostilities. Senior officials from several CIAT member States made similar calls.

22. My Special Representative emphasized to Vice-President Bemba and President Kabila that: (a) hostilities should immediately cease; (b) the forces of both camps should disengage and withdraw to their earlier positions; and (c) President Kabila and Vice-President Bemba should meet as soon as possible, with international mediation or not, and commit to some basic rules of conduct to be adhered to during the electoral process.

23. Calm was restored by early evening, as the Republican Guard withdrew most of its personnel together with the armoured vehicles and armaments. MONUC and Eufor R. D. Congo units deployed at key road junctions in the city centre. Furthermore, MONUC deployed troops with 20 armoured personnel carriers around the residence of the Vice-President to stabilize the situation and provide security. Soon thereafter, MONUC safely extracted my Special Representative and the CIAT Ambassadors from the residence.

24. Following further interventions by my Special Representative and other members of the international community, MONUC facilitated the establishment of a working group comprising the Ministers of Defence and the Interior, the FARDC Chief of Staff, the PNC Inspector General, representatives of the Vice-President's guards, the commander of the Republican Guard, as well as the Eufor R. D. Congo and MONUC Force Commanders to identify and establish confidence-building measures, to encourage dialogue and resolve immediate security disputes between both parties. The group reviews, inter alia, the reports of daily joint verification missions comprising the above parties.

25. Meanwhile, President Kabila and Vice-President Bemba also agreed to my Special Representative's proposal to establish a joint commission, facilitated by MONUC, with two subcommissions tasked to conduct an impartial, preliminary inquiry into the events of 20 to 22 August, and to foster agreement between the two candidates concerning rules of conduct for themselves and their supporters during the electoral campaign and the second presidential election round, as well as a memorandum of understanding on the post-electoral period. The two candidates have agreed, in principle, to a weapons-free zone in Kinshasa, the details of which are under discussion. Further progress was made on 13 September, when President Kabila met Vice-President Bemba for the first time since the events in August, together with Vice-Presidents Azerias Ruberwa and Arthur Zahidi N'Goma, to discuss the recent violence.

26. On 26 August, at the request of the High Media Authority, representatives of seven media outlets (Radio Liberté, Radio Télévision Nationale Congolaise, Digital Congo, Canal Congo Télévision, Canal Kin TV, Molière TV and Radio Lisanga Télévision) signed an agreement in the presence of CIAT and a group of Congolese media representatives committing themselves to respect the rules of journalistic ethics during the electoral period. A media monitoring mechanism was established to analyse key print and broadcast media during the electoral campaign for incidents of incitement to hatred or violence, based on data provided to MONUC by the European Union Electoral Observation Mission in the Democratic Republic of the Congo.

27. In accordance with the electoral timetable, the Supreme Court was to receive and review the provisional results of the presidential elections and any electoral complaints from 21 to 23 August. However, that was not possible until after MONUC secured the Court's premises on 25 August, when the Independent

Electoral Commission transmitted the provisional results to the Court. On 14 September, after it had reviewed the electoral complaints, the Supreme Court validated the provisional results of the first round and confirmed that President Kabila and Vice-President Bemba would contest a second presidential round.

28. On 7 September, the Independent Electoral Commission announced the provisional results for the National Assembly elections, which indicated that the platform of parties supporting President Kabila, AMP, had won 224 of the 500 seats, followed by the Regroupement des nationalistes congolais (RENACO), the parties supporting Vice-President Bemba, with 116 seats. The Coalition des démocrates congolais (CODECO), the coalition supporting Pierre Pay-Pay, won 25 seats and Vice-President Ruberwa's Rassemblement congolais pour la démocratie (RCD) won 15 seats, while President Kabila's party, PPRD, won 111 seats and Vice-President Bemba's party Mouvement de libération du Congo (MLC) won 64 seats.

29. The installation of the National Assembly is scheduled to take place on 22 September, and the inauguration of the President on 10 December. The Provincial Assemblies will elect the members of the Senate in a vote scheduled for 29 December. With the endorsement of the new National Assembly, the elected President is to appoint a Prime Minister, who will be entrusted with the formation of a government. The completion of this process may take until the end of the year, and possibly longer. The calendar for the local elections, which can be held only after the National Assembly has adopted the decentralization law, has yet to be discussed.

Electoral operations

30. The Independent Electoral Commission was generally successful in carrying out the timely organization of such large and complex elections. Some 80 per cent of the 50,000 polling centres opened as scheduled, while most of the remaining centres opened with minor delays. The Commission trained some 260,000 election workers for deployment to the 49,746 polling stations, clustered in 9,104 polling centres. 170 different ballots were printed and delivered to 14 logistical hubs, from which MONUC transported the material to the 210 sites from which the Commission had the responsibility of ensuring its transportation to some 9,104 polling centres, under PNC escort.

31. To assist the Commission in safely deploying electoral materials, implement civic education programmes and collect and deliver the electoral results, MONUC deployed electoral, police, military observer and security officers to 78 locations across the country, including to all 64 Commission Liaison Offices. The South African Government also provided staff, through the United Nations Development Programme (UNDP), to work alongside the Commission at the local results compilation centres. On polling day, United Nations teams visited polling centres to help the Commission staff identify and quickly resolve problems. A national network, led by the Association of Female Lawyers and comprising several non-governmental organization partners, monitored the security of women during the elections.

32. Civic education efforts were enhanced to inform the Congolese population about basic electoral principles and to urge them to vote. The Independent Electoral Commission, MONUC and international partners met regularly to coordinate their civic education and public information activities for the elections. Radio Okapi broadcast voter education programmes and a daily debate giving equal air time to

political parties and presidential candidates, and produced video clips on the rights and responsibilities of voters. MONUC particularly targeted women and youth in its programming.

33. A major challenge during the electoral process was the payment of electoral workers throughout the country. With the support of UNDP and MONUC, the Independent Electoral Commission paid some 260,000 polling station workers and 73,000 police officers who participated in the 30 July polls at 210 sites.

34. The extension of the electoral calendar beyond the original timeline, according to which the transitional process would have ended in June, raised the costs of the first round of the presidential and National Assembly elections. On 24 July, the Steering Committee of the UNDP-managed project in support of the elections approved a revised 2006 budget of $144 million. I would like to thank donors, which have provided funding for the elections, and in particular note the support of the Government of South Africa, which provided substantial in-kind contributions for the production and transportation of ballot papers. I would also like to acknowledge the response to my recent requests to address a critical funding gap from Belgium, France, Norway, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the European Commission, which has reduced the shortfall for the electoral budget to $9 million.

National security plans for the elections

35. The national police are responsible for the security of the electoral process, including the maintenance of law and order and the protection of the electoral staff, facilities and equipment. In accordance with the national security plan for the elections, 72,258 Congolese security officers provided security for the electoral process, including 53,274 territorial police officers, 2,588 intelligence officers and 14,000 crowd control officers. They were supported, where necessary, by 2,396 FARDC personnel. MONUC police and military liaised closely with their national counterparts throughout the process.

36. During the reporting period, MONUC trained 4,793 Congolese police officers, including 26 instructors, and 1,370 territorial police officers, during one-week essential skills programmes on security for the polling centres. The six formed police units from Bangladesh, India and Senegal deployed at five strategic locations (Kananga, Kinshasa, Kisangani, Lubumbashi and Mbuji-Mayi) provided training in crowd control techniques to 1,703 police officers, and conducted joint patrols with PNC units.

Preparations for the second presidential round and Provincial Assembly elections

37. In two rulings issued on 13 and 15 September, the Supreme Court of Justice reaffirmed the requirements under article 71 of the Constitution with respect to the time of holding a second round for the presidential election, but also acknowledged the logistical challenges, and concluded that it was not possible for the Independent Electoral Commission to complete all preparations within the 15-day period. It therefore granted an extension of the constitutional deadline and allowed the Commission to conduct the second round up to 50 days after the announcement of the final results of the first round. The 50-day period became effective on 16 September.

38. Preparations for the second round of the presidential elections and the provincial assembly elections are ongoing. The ballot papers are being printed in South Africa. MONUC, UNDP and the Government of South Africa are undertaking the transportation of 60,000 electoral kits and 1,260 metric tons of ballots to the 14 hubs in the Democratic Republic of the Congo. MONUC will transport the kits and ballots to 166 territorial centres and cities, and the Commission will be responsible for their movement to the polling centres.

Regional relations

39. During the reporting period, no meetings of the Tripartite Plus Joint Commission and the joint verification mechanisms took place. There have been signs of a further gradual improvement of relations between the Democratic Republic of the Congo and Rwanda. On 1 August, the Government of Rwanda reiterated its intention to open a diplomatic mission in Kinshasa after the elections. The formal exchange of Ambassadors would be a major step towards the restoration of peace, security and development in the region.

40. Meanwhile, the Democratic Republic of the Congo and Uganda have continued to seek solutions to issues of mutual concern, including regarding elements of Lord's Resistance Army (LRA) which may be present on Congolese territory.

III. Implementation of the Mission mandate

Ituri

41. There were a number of positive developments in the Ituri district of Oriental Province during the reporting period; however, the security situation remained volatile. Armed groups continue to operate in Djugu and Irumu territories, regularly harassing the local population, as well as MONUC and FARDC troops. During the reporting period, MONUC and FARDC continued joint operations to protect the civilian population and compel recalcitrant militia groups to disarm.

42. In Djugu territory, a joint MONUC and FARDC operation was launched on 20 May to dislodge and capture elements of the Front des nationalistes et integrationistes (FNI), led by Peter Karim. On 28 May, a MONUC Nepalese unit was attacked by FNI during a cordon and search operation. One MONUC soldier was killed, three were injured and seven were captured and held by FNI. Two of the soldiers were safely released to MONUC on 27 June and the remaining five on 28 July.

43. During the negotiations leading to the release of the seven soldiers, Peter Karim indicated that FNI wanted to join FARDC. On 10 July, Karim and the Government signed an agreement on the terms of the FNI integration in FARDC. Since then, the Government has not taken action to formally incorporate Karim into FARDC, and the demobilization and *brassage* of the FNI elements has been delayed. In the meantime, Karim is reportedly recruiting new militia elements.

44. On 5 June, the Government reopened the disarmament and demobilization process in Ituri. As of 8 September, 4,758 militia elements had surrendered with 2,332 weapons. However, operational, managerial and financial difficulties of the national disarmament, demobilization and reintegration agency, the National

Commission for Disarmament, Demobilization and Reintegration (CONADER), have significantly hampered the demobilization process.

45. MONUC has also continued to focus on the two remaining militia groups in Ituri, the Mouvement révolutionnaire congolais (MRC) of Mathieu N'Gudjolo and the Forces de résistance patriotique de l'Ituri (FRPI) of Cobra Matata. On 26 July, MONUC facilitated discussions between MRC and the Government, pursuant to which MRC would discontinue hostilities and integrate into FARDC. Sensitization of MRC elements began immediately, but the Government and MRC have yet to reach agreement on a timetable for integration or on a mutually-acceptable venue for talks. MONUC is assisting in overcoming these problems.

North and South Kivu

46. The overall situation in North Kivu remains stable but fragile. During the reporting period, the presence of non-*brassaged* former brigades of the Armée nationale congolaise (ANC) and their resistance to the deployment of integrated brigades remained a serious concern. Upon receiving reports that renegade General Laurent Nkunda and ex-ANC hardliners intended to cause instability, and given the persistent threat of Rwandan and Ugandan foreign armed groups, MONUC increased patrols and monitored the situation closely to prevent any escalation of violence. The arrival of additional integrated brigades in North Kivu helped further restrict the activities of militias in the province and ease the burden on the overstretched Eighth Military Region. However, standoffs and tensions between the integrated brigades and the pro-Nkunda brigades over their areas of responsibility continue to be problematic, and MONUC is monitoring the situation closely.

47. MONUC continued to take proactive measures to ensure a stable security situation in South Kivu. The activities of the Forces démocratiques de libération du Rwanda (FDLR) and uncontrolled armed groups have decreased considerably, and only a few incidents of looting and killings were reported. MONUC patrols have enhanced security for the local population and deterred militia activities. It is expected that the security situation will continue to improve with the arrival of additional integrated FARDC brigades in the post-election period.

Katanga

48. Katanga remained relatively calm, with the exception of the northern and central area of the province where Mayi-Mayi groups remained reluctant to demobilize. On 12 May, the Mayi-Mayi leader known as "Gédéon" surrendered along with several commanders and approximately 750 followers. However, splinter factions continue to commit atrocities, especially in the Pweto, Mitwaba and Manono triangle. On 28 August, Fidele N'tumbi surrendered and, as of 8 September, 171 of his followers had disarmed. The unpaid and non-*brassaged* FARDC brigades in the area are a security risk, as they continue to prey on the local population causing displacements.

49. During the reporting period, MONUC deployed an additional battalion of four companies (India), a level 2 hospital (Jordan) and an aviation unit (South Africa) in Kamina. These forces joined the present battalion (Benin) stationed in Kalemie, Nyunzu and Manono. MONUC, the Sixth Military Region Commander, and the humanitarian community are working together to identify operational requirements

to provide security and confidence for internally displaced persons to return to their villages.

Western Democratic Republic of the Congo

50. The security situation in Kinshasa remained tense following serious clashes between the guards of Vice-President Bemba and the Republican Guard from 20 to 22 August. The commitment of both camps to disarm or significantly reduce their forces ahead of the second presidential round campaign will have a significant impact on the security situation in the coming weeks.

51. The development of Kinshasa as a flash point has required the redeployment of Western Brigade troops to the capital. On 23 August, the Western Brigade was reinforced by a special forces company (South Africa) stationed in Lumubashi.

52. On 29 July 2006, Eufor R. D. Congo, authorized under Security Council resolution 1671 (2006) of 25 April to support MONUC, reached its full operational capacity, with 1,100 troops stationed in the country and 1,307 troops stationed in Gabon. Eufor R. D. Congo is now capable of responding within capability and agreed tasking to a MONUC request for assistance. MONUC and Eufor R. D. Congo have engaged in a programme of planning and coordination to ensure maximization of operational efficiency.

53. The robust presence of the Western Brigade in Kinshasa supported by Eufor R. D. Congo, as well as several military and political confidence-building measures aimed to restore security in the capital, will help ensure that the campaign for the second round can be held in a relatively secure environment.

Arms embargo

54. Pursuant to Security Council resolution 1596 (2005) of 18 April, MONUC inspected a shipment of military equipment and related materials, including tanks, armoured personnel vehicles and ammunition, at the Matadi port on 29 July. The Government had neither informed the Security Council Committee established pursuant to resolution 1533 (2004) prior to the arrival of the cargo, nor invited the Mission to verify the type and quantity of military material, in violation of the resolution.

55. On 24 and 25 August, without notice, FARDC moved seven truckloads of ammunition from Matadi to Kinshasa. FARDC acknowledged the movements, but declined to provide further details. MONUC conducted a number of verification missions, and was informed on 12 September that nine T-55 tanks had been delivered during the night, bringing the equipment now stored at a FARDC logistics base in Kinshasa to 12 T-55 tanks, 20 infantry combat vehicles and one recovery tank. In view of the fighting in Kinshasa between 20 and 22 August, these developments are of considerable concern.

56. During the reporting period, representatives of the Agence nationale de renseignement (ANR) in Beni expressed concern to MONUC about the alleged continued smuggling of arms from Uganda to Butembo. MONUC intends to submit a comprehensive report of its verification inspections to assist the work of the Security Council Committee established pursuant to resolution 1533 (2004) and the Group of Experts established pursuant to resolution 1698 (2006).

Disarmament, demobilization, repatriation, resettlement and reintegration

57. On 24 August, Major Ninja, an FDLR leader active in North and South Kivu, and 84 of his followers were disarmed. Of those, 26 FDLR elements were repatriated to Rwanda, while 58 Congolese elements entered the national disarmament and demobilization programme. Major Ninja was a well-known source of destabilization in the Kivus, and his repatriation is likely to further weaken FDLR command and control in the Democratic Republic of the Congo, and encourage remaining rank and file FDLR combatants to also undergo disarmament, demobilization, repatriation, resettlement and reintegration. During the reporting period, some 600 additional FDLR elements voluntarily repatriated to Rwanda, bringing the total of voluntary repatriation of foreign armed groups under the facilitation of MONUC to 13,000 combatants and dependents.

Security sector reform

Army integration

58. The Joint Commission on Security Sector Reform and its technical military subcommission continued to meet regularly under the chairmanship of Vice-President Ruberwa and my Special Representative. The Joint Commission decided to undertake a more coherent and cost-effective deployment of the remaining integrated brigades. The Joint Commission has also requested my Special Representative to chair a meeting in early September of the Government and key donors on the transparency of the defence budget.

59. As of 13 September, the Government had established 13 out of the 18 integrated brigades it had planned to create before the elections. Owing to financial problems, the formation of the remaining five integrated brigades is several weeks behind schedule.

60. While there is broad agreement among international actors that security sector reform is a key issue, donors need to harmonize their support to the Government in developing a security sector reform strategy. MONUC is currently discussing this issue with its security sector reform partners with the view to presenting an agreed approach to the new Government.

61. Meanwhile, the lack of operational support for the integrated brigades conducting joint operations with MONUC continues to impede FARDC's capacity to maintain stability following such operations. In this connection, the Government and MONUC have jointly prepared a project document with the view to seeking donor funds necessary to address the immediate operational needs of integrated brigades conducting joint operations with MONUC. At the same time, the European Union Mission of Assistance for Security Sector Reform (EUSEC) is assisting the Government in taking immediate measures to address urgent financial and administrative issues in this regard.

Disarmament, demobilization and reintegration

62. As of 8 September, CONADER had demobilized more than 76,614 ex-combatants, including 19,000 children. Meanwhile, some 85,000 elements have yet to undergo the disarmament, demobilization and reintegration process. However, the budget of some $200 million of CONADER, provided by donors through the

Multi-Country Demobilization and Reintegration Programme (MDRP), has been exhausted. The World Bank has indicated that additional funding from MDRP would be contingent on its assessment of CONADER operations, which would be reviewed at an MDRP meeting in mid-November.

63. The financial crisis facing the Government structures related to disarmament, demobilization and reintegration has had a significant impact on the *brassage* process. As *brassage* follows demobilization, delays in demobilization have a direct impact on army integration, inter alia, creating difficulties for the stabilization of the Kivus, Katanga and Ituri. Delays in the payment of safety net and demobilization allowances, as well as the implementation of reinsertion projects, has caused discontent among ex-combatants.

64. The Joint Commission for Security Sector Reform has decided that priority for disarmament, demobilization and reintegration of the outstanding caseload would be accorded to the more than 44,000 troops from the Sixth, Eighth and Tenth Military Regions (North Kivu, South Kivu, Katanga), while discussions would start on the *brassage* of the Republican Guard and the Kinshasa Garrison (30,000 troops total).

Police and penal reform

65. The joint working group on the reform and reorganization of PNC has completed its recommendations on the reform and restructuring of the force, for discussion with the new Government. These include conducting a census of the police, including the vetting and certification of police officers, to allow, among other things, for the proper budgeting of salaries and the establishment of an effective payment system. Following the holding of the census, the design and delivery of a comprehensive training programme for the national police needs to be undertaken.

66. The dilapidated state of the country's penitentiary facilities has resulted in frequent detention centre breakouts. During the reporting period, 258 convicts, including FARDC soldiers and PNC officers responsible for serious human rights violations, escaped from prison. On 4 June, 193 detainees escaped from Bukavu prison, including Colonel Biyoyo, the first army officer sentenced for child soldier recruitment. Serving prisoners, confined alongside pre-trial detainees, continue to endure appalling conditions of detention. MONUC has deployed 12 detention experts throughout the country to advise the authorities on improving prison conditions.

Human rights

67. In addition to the human rights concerns mentioned under the review of the electoral process above, a number of other issues of concern arose during the reporting period. On 30 June, heavily armed FARDC soldiers, not trained for crowd control, were deployed to prevent a political demonstration in Matadi (Bas-Congo Province). They fired indiscriminately at protesters after a soldier was killed by the enraged crowd. Thirteen people were killed and 20 injured.

68. On the night of 27 June, 12 UDPS supporters were arbitrarily arrested by ANR and detained in Mbuji-Mayi in a military camp, while ANR in Kalemie, Lubumbashi and Uvira made a number of arrests for political reasons and mistreated detainees, some of whom were tortured. MONUC was denied access to the victims in some of

these cases, and in Kinshasa, is systematically denied access to ANR holding cells. The Chief of ANR has thus far refused to meet with MONUC to discuss these concerns.

69. The Republican Guard committed a number of politically-motivated human rights violations during the electoral campaign, including the arbitrary arrest of journalists, the intimidation of presidential candidates and their families and ill-treatment of detainees arrested for political reasons.

70. MONUC has learned with concern that the Mai-Mai leader Kyungu Kasongo Mutanga, known as "Gédéon", may be given a command position and an officer's rank upon being integrated into the army. MONUC has written to the Auditeur militaire, asking him to expedite the judicial investigation into the crimes of which Gédéon is suspected. In the letter, MONUC also refers to the case of the Mayi-Mayi leaders "Tshinja-Tshinja", the Kilwa massacre in October 2004, the December 2004 massacres in North Kivu and the situation of several Ituri militia leaders who have been in custody for up to 16 months without trial. All these investigations are effectively blocked, in most cases by political and military interference in the judicial process.

71. On 20 June, 42 soldiers were sentenced by a military court in Mbandaka for murder and rape, as crimes against humanity, committed during a mutiny on 3 to 4 July 2005. With respect to past unpunished crimes, preparations for the deployment of a team to map the most serious human rights violations committed between 1993 and 2003 and to recommend appropriate measures to deal with such violations are under way, in close cooperation with the Office of the High Commissioner for Human Rights.

Child protection

72. Of serious concern are the recent abductions and attempts to re-recruit children formerly associated with armed forces and groups in North Kivu, primarily by elements of the former ANC brigades loyal to Laurent Nkunda. On 22 June, 13 children were abducted near Kitchanga in Masisi territory by elements of the 835th Battalion. They reported that they had been severely beaten by their abductors. On 30 July, two of these children were traced to their home by members of the 835th Battalion, who tried again to lure them back to the military.

73. Given the number of children who, after being reunified with families, have begun returning to transit centres in Goma seeking protection from intimidation or re-recruitment, child protection partners have temporarily suspended all family reunification of children formerly associated with armed forces and groups in Masisi. The area is also becoming increasingly insecure for child protection organizations.

Humanitarian situation

74. The number of newly displaced persons increased dramatically in the first eight months of 2006. The majority of the 45,000 IDPs at the Geti camp in southern Irumu territory (Ituri) have refused to return home because of insecurity. FARDC imposed a security perimeter to prevent militia from mixing with the camp population. Human rights monitors continue to report rapes and the killing of individuals who have risked venturing out of the camp. A World Food Programme

food distribution to the camp has been delayed owing to a lack of stocks, leading to increasing malnutrition and an average of six deaths per day, twice the humanitarian alert level. MONUC is facilitating the temporary return of some internally displaced persons to their home communities in order to harvest their crops.

75. The demobilization of 500 Mayi-Mayi elements in Mitwaba and the deployment of the FARDC 63rd Brigade have provided the opportunity for the 160,000 IDPs, who had fled the hostilities between the FARDC and the Mayi-Mayi, to return. During the reporting period, MONUC facilitated the transportation of 62 metric tons of non-humanitarian cargo, including food and medicines, medical equipment and other non-food items for IDPs in Bukiringi (60 km south of Bunia), as well as for 20,000 internally displaced persons in Mitwaba, Katanga, and for various groups of returnees in the Kivus.

Conduct and discipline

76. The MONUC Conduct and Discipline Team further clarified its role and mandate and strengthened its monitoring functions while it continued to receive and follow up on allegations of misconduct and to train mission personnel. To that end, a number of directives and procedures were issued to all mission personnel on reporting allegations of misconduct, and on the investigation process. The concerns expressed in my previous report regarding the investigating capacity of the Office of Internal Oversight Services continued to present a challenge, as very few final investigation reports were received during the period.

77. To improve coordination with other United Nations agencies, the sexual exploitation and abuse inter-agency focal points network has been reactivated. Its priorities include the adoption of a common code of conduct, the sharing of training materials and the coordination of a referral system for the assistance to victims of sexual exploitation and abuse by United Nations personnel.

IV. Administration

78. During the reporting period, MONUC restructured the support component on the basis of a comprehensive review, carried out pursuant to recommendations of the General Assembly. The logistics hub in Entebbe, Uganda, is being strengthened to better support operations in eastern Democratic Republic of the Congo. Coordination regarding support is also being further strengthened with other missions in the region.

79. The Mission vacancy rate has been significantly reduced. However, personnel retention remains a challenge. The increasing demands placed on staff members, combined with security problems and associated restrictions in the execution of tasks, are contributing to a high rate of attrition.

80. The Mission continued to provide limited logistical support to FARDC units conducting joint operations with MONUC in eastern Democratic Republic of the Congo. Limited progress has been achieved in efforts to mobilize voluntary contributions for this.

81. MONUC effectively met the formidable challenge of providing logistical support to elections of an unprecedented scope in United Nations operations. The Mission has also supported the requirements of United Nations funds, programmes

and agencies as well as other partners, particularly with respect to the elections, including logistical support to Eufor R. D. Congo, on a cost-recovery basis. This has placed a significant strain on the Mission's support component, and MONUC will be continuing these activities through the next phase of the electoral process. It is important that, as roles are agreed upon between members of the United Nations country team in implementing a post-electoral strategy, close attention is paid to sharing costs.

V. Financial aspects

82. The General Assembly, by its resolution 60/121 B of 30 June 2006, appropriated the total amount of $1,091,242,800, equivalent to $90,936,900 per month, for MONUC for the period from 1 July 2006 to 30 June 2007. Should the Security Council decide to extend the mandate of MONUC beyond 30 September 2006, the cost of maintaining the Mission until 30 June 2007 would be limited to the amounts approved by the General Assembly.

83. As at 30 June 2006, unpaid assessed contributions to the Special Account for MONUC amounted to $160.4 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,265 million.

84. As at 31 July 2006, amounts owed to troop and formed-police contributors totalled $55.9 million. Reimbursement of troop and contingent-owned equipment costs have been made for the period up to 30 April 2006 and 31 March 2006 respectively, in accordance with the quarterly payment schedule.

VI. Observations and recommendations

85. I would like to commend the Congolese people and the political parties for their commitment to the democratic process, as demonstrated by the high voter turnout at the first round of the presidential elections and the National Assembly elections on 30 July, and the generally peaceful atmosphere in which the polls were conducted. While there were some concerns over irregularities, and isolated incidents of violence, the successful holding of the polls was a landmark step in the peace process in the Democratic Republic of the Congo. The Independent Electoral Commission and its national and international partners effectively met the enormous organizational challenges involved in ensuring that the elections were held under the best possible conditions. The support provided by MONUC, UNDP, the European Commission and the Government of South Africa deserves a particular note of appreciation.

86. In the light of the ruling of the Supreme Court of Justice on 15 September, in which it acknowledged that it would not be possible to meet the constitutional deadline for holding the second round of the presidential election, I encourage President Kabila and Vice-President Bemba to reaffirm their commitment to the electoral calendar, which established 29 October as the date for the second round. The United Nations is committed to providing all possible support in ensuring the timely and successful holding of these elections.

87. It is vital that the parties and candidates take all possible steps to ensure that the electoral campaign is freely contested across the country and that the elections

are held under secure conditions and are credible and transparent. It should be emphasized that any resort to incitement to hatred or violence during the electoral process is unacceptable, and that perpetrators must be held accountable. Meanwhile, the transitional institutions need to continue to operate effectively until the legislative and executive institutions have been duly installed. At this critical juncture, I would urge the Congolese parties to continue to work assiduously to build on the significant gains made so far in the transitional process and ensure its successful conclusion in the coming months. The recent generous support of several donors has reduced significantly the outstanding shortfall in the electoral budget to some $9 million. I would urge donors to give due consideration to meeting the remaining gap as soon as possible, so the electoral preparations can proceed unhindered.

88. The violent incidents of 20 to 22 August in Kinshasa were of deep concern. President Kabila and Vice-President Bemba should be encouraged to work in good faith with the facilitation mechanisms established by my Special Representative, and to reach early agreement on rules of conduct for the campaign for the second round of the presidential elections and also on mutual assurances of security and political engagement following the elections. They should also continue to work with the joint monitoring mechanisms established by MONUC with the assistance of Eufor R. D. Congo, and institute measures to prevent a recurrence of violence in Kinshasa or elsewhere in the country during the electoral process. The robust deployment of the Western Brigade in Kinshasa, supported by Eufor R. D. Congo, will help in ensuring stability in the capital during the electoral period. It is also important that the electoral campaign focus on the key issues facing the country. Furthermore, the establishment of as inclusive a Government as possible would lay the foundation for national reconciliation and broad-based efforts towards the consolidation of peace.

89. The use of the media to incite hatred and violence during the electoral process is a worrisome development. The establishment of a mechanism to monitor the situation is a welcome step and the agreements reached recently by several major media outlets on respect for journalistic ethics during the campaign period need to be strictly adhered to. It is important that the relevant Government institutions ensure that such misuse of the media is prevented, and that no unilateral action is taken by others in this regard.

90. The reports on the importation of arms into the country without prior notification being given to the Security Council Committee established pursuant to resolution 1533 (2004), are of concern. I call on the parties to fully cooperate with MONUC and allow the Mission to properly monitor and inspect any shipments of arms into the country.

91. The national police and the armed forces continue to face a range of problems, including poor discipline, insufficient training and equipment, and inadequate systems for the delivery of salaries. A comprehensive plan for security sector reform is urgently required to address these and other challenges to enhance the capacity of the security services to effectively maintain security nationwide. International partners should urgently strengthen their support to the Government in the development and implementation of an effective security sector reform plan, which will be vital in ensuring long-term stability in the country. The assessment of CONADER operations should be conducted as soon as possible and an agreement

reached on the urgent provision of additional financial support for disarmament, demobilization and reintegration.

92. In the post-elections period, addressing the many challenges facing the Democratic Republic of the Congo will require the continuing support of a United Nations peacekeeping operation. It is envisaged that post-electoral tasks of MONUC, in cooperation with the United Nations country team and the international community, would include: providing support to the new Government and civil society in strengthening democratic institutions; promoting the rule of law and basic human rights; building an adequate security environment and architecture; strengthening economic management; and establishing and consolidating State authority nationwide. In the context of long-term institution-building, including governance and security sector reform, natural resource management and decentralization, MONUC would work to advocate, facilitate and support national planning and reform processes that will enable donors to coherently assist the implementation of such programmes.

93. I have asked my Special Representative to consult the new Government as soon as possible on the proposed role of MONUC, including its strategy, objectives and benchmarks for achievement in areas of support.

94. In the post-elections period, international assistance for the Democratic Republic of the Congo should be strengthened and sustained in support of the peace consolidation efforts of the Government. Further progress in the implementation of political and governance reforms will be vital in laying the foundations for durable peace and stability and, in this context, I would encourage the finalization of the proposed "Governance Compact", being developed under the lead of the United Nations, the World Bank and the European Commission, and its early consideration by the Government.

95. International stakeholders should also give urgent consideration to the establishment of a coordination and support mechanism, to replace the International Committee in Support of the Transition. It is envisaged that, in agreement with the Government, such a mechanism could play an important role in ensuring effective donor coordination, promoting good governance and serving as a forum for policy dialogue with the elected Government. I have asked my Special Representative to undertake consultations with relevant stakeholders in this regard.

96. In the meantime, I would recommend an extension of the current mandate of MONUC for a period of four and a half months, from 1 October 2006 to 15 February 2007, to allow sufficient time for consultations with the new Government on the Mission's future role.

97. In its resolution 1692 (2006) of 30 June, the Security Council decided to extend until 30 September 2006 the authorization contained in resolution 1669 for the Secretary-General to redeploy temporarily troops from the United Nations Operation in Burundi (ONUB) to MONUC. Moreover, in its resolution 1693 (2006) of 30 June, the Security Council decided to extend until 30 September the increase in the military and civilian police strength of MONUC authorized by resolutions 1621 (2006) and 1635 (2006). I am extremely grateful for the action taken by the Security Council to strengthen the capacity of MONUC in this period. In the light of recent developments and the vital importance of maintaining MONUC's current authorized strength to ensure a peaceful and successful completion of the electoral

process, I would like to recommend for the Security Council's consideration that it extend, until 15 February 2007, the authorization to redeploy the troops from ONUB to MONUC in accordance with resolution 1669 (2006). I intend to submit further recommendations with respect to these redeployed troops before the end of January 2007. I would also like to recommend for the Security Council's consideration a further extension, until 15 February 2007, of the increase in the military and civilian police strength of MONUC authorized by resolutions 1621 (2006) and 1635 (2006).

98. Finally, I would like to thank my Special Representative, the Force Commander and all the civilian and military women and men of the United Nations family in the Democratic Republic of the Congo for their untiring efforts and commitment to bringing peace and security to the Democratic Republic of the Congo, particularly in regard to the assistance they have provided to the electoral process. I would also like to pay tribute to the military and civilian members of the United Nations, including its security personnel, for their work in stabilizing the situation in Kinshasa and ensuring the safety and security of all United Nations personnel. A note of appreciation also goes to the men and women of Eufor R. D. Congo, for the support provided to MONUC.

Annex

United Nations Organization Mission in the Democratic Republic of the Congo: military and civilian police strength

(as at 31 August 2006)

	Military component				
Country	*Military observers*	*Staff officers*	*Troops*	*Total deployed*	*Police officers*
Algeria	6	0	0	6	
Argentina					2
Bangladesh	17	10	1 351	1 378	250
Belgium	0	9	0	9	
Benin	20	0	751	771	8
Bolivia	7	3	200	210	
Bosnia and Herzegovina	5	0	0	5	
Burkina Faso	12	0	0	12	76
Cameroon	1	1	0	2	49
Canada	0	9	0	9	
Central African Republic					7
Chad					6
China	14	0	218	232	
Côte d'Ivoire					1
Czech Republic	1	0	0	1	
Denmark	1	1	0	2	
Egypt	18	5	0	23	13
France	0	6	0	6	10
Ghana	21	2	462	485	
Guatemala	8	1	105	114	
Guinea	2	0	0	2	53
India	36	13	4 349	4 398	250
Indonesia	9	4	175	188	
Ireland	2	1	0	3	
Jordan	22	6	66	94	3
Kenya	28	7	0	35	4
Madagascar					7
Malawi	26	0	109	135	
Malaysia	5	12	0	17	
Mali	32	0	0	32	24
Mozambique	4	0	0	4	
Mongolia	2	0	0	2	
Morocco	1	3	807	811	
Nepal	18	2	1 052	1 972	

Country	Military component				Police officers
	Military observers	Staff officers	Troops	Total deployed	
Netherlands	0	1	0	1	
Niger	19	1	0	20	37
Nigeria	30	1	0	31	
Pakistan	30	17	3 560	3 607	
Paraguay	19	0	0	19	
Peru	7	0	0	7	
Poland	3	0	0	3	
Romania	20	0	0	20	1
Russian Federation	21	2	0	23	5
Senegal	11	14	459	484	290
South Africa	5	25	1 183	1 213	
Serbia	0	0	6	6	
Spain	2	0	0	2	
Sri Lanka	2	0	0	2	
Sweden	5	0	0	5	3
Switzerland	1	1	0	2	
Togo	1	0	0	1	
Tunisia	30	3	464	497	
Turkey					14
Ukraine	11	0	0	11	3
United Kingdom	0	6	0	6	
Uruguay	34	12	1 324	1 370	
Vanuatu					2
Yemen					1
Zambia	22	5	0	27	
Total	**592**	**183**	**16 641**	**17 416**	**1 119**

Note: Includes military personnel deployed under MONUC and ONUB authorized troop strengths.

Map No. 4121 Rev. 29 UNITED NATIONS
September 2006

Department of Peacekeeping Operations
Cartographic Section

United Nations S/2006/760

Security Council

Distr.: General
25 September 2006

Original: English

Letter dated 25 September 2006 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the fifth report of the International Independent Investigation Commission, which was prepared pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005) and 1686 (2006).

The report details progress made by the Commission since its previous report dated 10 June 2006 (S/2006/375) in investigating the assassination of former Lebanese Prime Minister Rafik Hariri and 22 other victims, and in providing technical assistance to the Lebanese authorities in their investigation of certain other attacks perpetrated in Lebanon since 1 October 2004. The report highlights the Commission's steady advancement in its investigations, despite experiencing difficulties in accessing witnesses and information as a result of the conflict in Lebanon.

I wish to thank the staff of the Commission for their dedicated and systematic work in difficult circumstances, particularly in the light of the volatile security situation in Lebanon during the reporting period. I also wish to thank Mr. Brammertz for his continued leadership in advancing the investigation of the attack, and the Government of the Lebanese Republic for its continued support for, and cooperation with, the Commission.

I should be grateful if you would bring this matter to the attention of the members of the Security Council. Meanwhile, I am transmitting the report to the Government of Lebanon.

(*Signed*) Kofi A. **Annan**

06-53555 (E) 280906

Annex

Fifth report of the International Independent Investigation Commission established pursuant to Security Council resolutions 1595 (2005), 1636 (2005) and 1644 (2005)

Serge Brammertz
Commissioner

Beirut
25 September 2006

Summary

In resolution 1644 (2005) of 15 December 2005, the Security Council requested the International Independent Investigation Commission to report to it on its progress, including on the cooperation received from the Syrian authorities, every three months.

The present report outlines the progress made by the Commission in its investigative activities between 15 June and 15 September 2006. This period was marked by the conflict and unstable security situation in Lebanon, and resulted in the temporary relocation of the Commission to a base in Cyprus on 21 July 2006, as required by the United Nations. All efforts were made to manage the impact of the relocation on the work of the Commission, and operations resumed immediately upon arrival in Cyprus. The gradual process of moving international personnel back to Beirut has started.

While the Commission faced delays and logistical difficulties in accessing witnesses and information as a result of the conflict in Lebanon, these problems were minimized. As a result, progress has been made in all investigative areas, and the Commission continues to investigate systematically and thoroughly all possible leads. The Commission continues to interact closely with the Lebanese authorities on all matters relevant to its mandate and appreciates their support.

The Commission has also continued to provide technical assistance to the Lebanese authorities in their investigation of other attacks perpetrated in Lebanon since 1 October 2004. The expanded mandate given to the Commission by the Security Council in resolution 1686 (2006) has enabled the Commission to take a more proactive role in these cases, resulting in tangible progress both in individual cases and in their potential linkage to each other.

The assistance the Commission receives from States continues to be critical to the progress of the investigation, especially as it develops its more complex investigative themes. The cooperation that the Commission has received from the Syrian Arab Republic has remained generally satisfactory, and the Commission continues to require its full support in providing information and facilitating interviews with individuals located on Syrian territory.

Contents

		Paragraphs	*Page*
I.	Introduction	1–8	4
II.	Progress in the investigations	9–69	5
III.	External cooperation	70–84	16
IV.	Organizational support	85–97	19
V.	Conclusions	98–105	22

I. Introduction

1. This report is submitted pursuant to Security Council resolution 1644 (2005) of 15 December 2005, in which the Council requested the International Independent Investigation Commission to report every three months on the progress of its inquiry, and on cooperation matters, including cooperation received from the Syrian authorities. The report accounts for the progress the Commission has made in implementing its mandate, as laid out in Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005) and 1686 (2006) since its previous report dated 10 June 2006 (S/2006/375).

2. The Commission has continued its investigation into the killing of former Lebanese Prime Minister Rafik Hariri and 22 others (Hariri investigation) and has reinforced the level of technical assistance it provides to the Lebanese authorities in their investigation of certain other attacks perpetrated in Lebanon since 1 October 2004. Although the work of the Commission has been affected by the unstable security situation in Lebanon during the reporting period, and the subsequent need to evacuate the Commission staff to a temporary base in Cyprus, progress has been made in all main areas of the investigations. The Commission continues to interact closely with the Lebanese authorities on all matters relevant to its mandate and appreciates their ongoing strong support, especially in the light of the difficult security situation in Lebanon during the reporting period.

3. In the Hariri investigation, 20 major investigation and analysis projects and themes, subdivided into numerous subprojects, are ongoing. They include investigations of the crime scene and convoy, interviews with key witnesses and sensitive sources, and the investigation and analysis of telecommunications, organizational structures and linkages. Each project is undertaken by a multidisciplinary team of individuals equipped with the appropriate skill sets.

4. While the Commission focused in its last report on the results of its forensic examination of the crime scene and of the blast that killed Hariri and 22 others, in this reporting period it also focused on the investigation of those who participated at different levels in the perpetration of this crime. That elicited further forensic tasks, such as DNA research and analysis; electronic communications and digital devices examination and analysis; fingerprints research and comparative analysis; mobile telephone analysis; and forensic examination of documents.

5. In line with the revised mandate given by the Security Council in resolution 1686 (2006), the Commission has further expanded the technical assistance it provides to the Lebanese authorities in their investigation of certain other attacks perpetrated in Lebanon since 1 October 2004. Specifically, the Commission has focused on three main areas: forensic investigation and analysis, communications analysis and the conduct of interviews. A key component of these activities is to obtain evidence concerning horizontal multiple-case linkage, including any commonalities with the Hariri case. This increased assistance has allowed progress in the investigations of these other cases, with the Commission first concentrating on the cases involving attacks against specific individuals.

6. The assistance of States continues to be necessary to the success of the work of the Commission. During the reporting period, 27 requests for assistance were sent by the Commission to 11 States and entities, in addition to the requests sent to Lebanon. As a result, the Commission has enjoyed broad and detailed assistance

from a number of States in a wide range of investigative and analytical areas. The cooperation of the Syrian Arab Republic with the Commission remains an important component of the ongoing work. Over the past three months it remained generally satisfactory, with regular working level meetings having been held with senior Syrian officials to manage the timeliness of the responses, the facilitation of witness interviews and the provision of information. The Commission has continued to receive the assurances of the Government of the Syrian Arab Republic that all Commission requests will be met in a timely and satisfactory manner.

7. During the reporting period, the Commission continued to develop its internal procedures, as directed by the Security Council in paragraph 6 of its resolution 1595 (2005), and has further standardized its work, notably in the light of the possible establishment of a tribunal of an international character.

8. In view of the extension of the mandate of the Commission until 15 June 2007 by the Security Council in resolution 1686 (2006), the Commission has gradually increased its capacity and resources to meet its significant investigative, legal and analytical obligations, together with developing and maintaining the appropriate security, language services, administration, recruitment and logistics support associated with its mandate. As part of its management tasks, new budget proposals have been prepared and submitted to enable planning continuity and the fulfilment of management objectives.

II. Progress in the investigations

9. During the reporting period, the investigative focus of the Commission in the case of the murder of Mr. Hariri and 22 others was on three main objectives: continuing crime scene and associated work; broadening its knowledge and evidence in relation to the linkage and perpetrator aspects of the case; and developing new projects.

10. As regards the other 14 cases, the Commission began conducting interviews following the expansion of the mandate by the Security Council in June, focusing in the first instance on six of these cases, namely those of targeted attacks. As ever, the imperative remains to achieve realistic results of an evidential standard in the best possible time frame.

11. As in its previous report, the Commission is providing a "snap-shot" of its ongoing work on the different layers of the case, with as much detail as possible, bearing in mind the underlying need to preserve confidentiality and investigative leads.

A. Hariri investigation

1. Crime scene and associated topics

Forensic exploitation of the crime scene

12. Following the Commission's final collection of forensic evidence at the crime scene, completed in June 2006, a number of results have been established that enable further confirmation of the current case theory, regarding the crime scene and

its associated aspects, and provide new investigative leads. The Commission is also establishing a comprehensive forensic inventory and database of all exhibits in the possession of the Lebanese authorities and in the possession of the Commission.

13. A total of 56 exhibits of human remains were found in June 2006, with four other parts found that could not be analysed owing to their condition. The parts were scattered over a large area, with human remains found in all six of the subdivided areas of the crime scene. The DNA analysis conducted on these remains produced 27 mitochondrial DNA profiles and 14 nuclear DNA profiles. Three new independent DNA profiles were extracted from exhibits found at the crime scene, one drawn from blood stains found in the Byblos building and one on the roof of the St. George Hotel annex. The third one has particular significance in that the sample was taken from the key ignition mechanism in the vicinity of the so-called "building 367", adjacent to the Byblos building, which may be relevant to associated evidence close to the blast. The Commission is undertaking steps to ascertain whether these new DNA profiles can be attributed to known injured persons, or represent as yet unidentified persons most likely injured in the explosion.

14. The tooth found on the crime scene during the investigations carried out just after the explosion in 2005 belongs to the same male person whose 27 parts were previously recovered. Odontological examinations showed it is an upper middle right incisor that belonged to a man, possibly in his early 20s, and unlikely to be older than 25, showing a distinguishing mark to the surface of the crown, which is a feature rarely seen among people from Lebanon. Another complete tooth was collected during the recent investigations of the crime scene in June 2006, in the same vicinity where the 27 parts belonging to this person had been found. Further forensic tests are being undertaken to establish, if possible, the regional origin of the person from the examination of the tooth. In addition, five pieces of human remains were also found in the same vicinity, all matching the DNA of the 27 other parts of the same male person, and a number of other bone fragments belonging to a skull were found in the same area. Although they were too burned for DNA profiles to be extracted, the Commission believes that they belong to the same male likely to be the individual who detonated the bomb, and not to another unidentified person.

15. A trajectory analysis of physical and biological exhibits is nearing completion. In order to achieve this goal, a 3D-reconstruction of the crime scene, above and also under the ground, is being finalized and will be linked to the database of the exhibits inventory. The objective of this exercise is to determine the relative location of the carrier of the bomb, i.e. the Mitsubishi van, the seat of the explosion and the location of the male identified as the person who most likely detonated the improvised explosive device (IED). Two other separate and independent series of experiments conducted to assist in the understanding of the properties and associated features of the explosion, the cratering, the explosion fireball, the trajectories of primary and secondary high velocity fragments and their collision with vehicles and buildings have all demonstrated very similar properties to those of the actual blast on 14 February 2005.

16. Documentation and technical information from the Mitsubishi Fuso Truck and Bus Corporation in Japan received recently by the Commission will enable identification of the vehicle parts and metal fragments allegedly originating from the Mitsubishi van collected from the scene of the crime. Similarly, vehicle parts found at this scene should be conclusively identified with the assistance of an external

expert by matching the parts to technical drawings and to identical and fully intact components from an undamaged vehicle of the same production batch, model, make and year.

17. Such potentially key parts as the piece of metal, possibly the roof of a vehicle, retrieved approximately 50 m above the ground from the arm of the crane attached to a building at the crime scene (Byblos building), the ignition key device collected adjacent to the unsafe building (building 367), and the gearing mechanism of a vehicle found embedded in the ground inside the crater, some 40 cm below the surface, will be examined and subjected to the above-mentioned analysis for final identification and assessment of relevance for the case. Other parts, such as those taken from inside the crater, where a further 48 metallic and non-metallic parts or components from a vehicle or vehicles were found, and parts found among the rubble at the crime scene, where a large rear-view mirror and a rear light fragment, together with electrical wiring, number plates, electronic devices and other metallic unidentified fragments were recovered, will also be subjected to final identification and an assessment of their relevance for the case.

Characteristics of the explosion

18. Independent tests carried out in two separate environments conducted earlier in the year, as well as scaling explosion experiments, have corroborated the findings of the Commission with regard to the characteristics and nature of the actual explosion of 14 February 2005, i.e. the Mitsubishi Canter van, carrying a very large bomb of a minimum of 1,200 kg of TNT equivalent most likely detonated by a man (to whom the 32 human parts belong) within or immediately in front of the van. The nature of the fireball, the pressure range, the properties of the carrier, the effects on the surrounding vicinity, including on the impacted vehicles, adjacent buildings and the road, the trajectory findings, the amount of explosives used and the nature and form of the crater have all been corroborated by these experiments. A new hypothesis relating to an aerial delivery means as a method of causing the explosion, advanced to the Commission recently, is being examined for its validity. The Commission is unable at this stage to conclude if it has any impact on its existing findings at the crime scene, which were corroborated by two separate and independent series of tests.

19. The Commission has developed its findings as to exactly how the explosive charge would have been placed in the van to achieve the intended effects, and how the explosives must have been wired to detonate in the manner they did. Experiments conducted with explosive charges packed and laid out in different configurations have led to an understanding of how and where the explosives would have been placed in the Mitsubishi van, and how the detonation of the device would have been effected.

20. In the previous report, the Commission discussed varying possibilities concerning the amount of explosives used in the attack. It suggested that the amount used to produce a crater of the size that was created on 14 February 2005 would be approximately 500 kg of TNT equivalent, if the IED was placed at 1.7 m under the ground; or 1,200 kg of TNT equivalent if placed just above the ground; or 1,800 kg of TNT equivalent if the IED was approximately 0.80 m above the ground. This data has been confirmed by a separate series of experiments relating to the effects of differing explosive amounts packed in differing configurations and detonated at

varying heights above the ground. Once the trajectory analysis, 3D-reconstruction of the crime scene, video analysis and formal identification of all Mitsubishi van parts have been completed, the Commission will be able to establish the height above ground of the IED and, as a consequence, the quantity of explosives used in the IED. Subject to these final results, the Commission estimates that the quantity of explosives would be closer to 1,800 kg than to 1,200 kg.

Convoy route

21. The project of systematically interviewing or re-interviewing all members of Mr. Hariri's security staff, including the surviving members of his convoy, those managing his security and those in his immediate personal staff, has been largely completed. The Commission has established to its satisfaction the convoy's route; the exact timing of its progress; stop and start times; timing and knowledge of route selection; the use of one or more identical armoured Mercedes Benz S600 vehicles in the convoy both on the day of the attack and before; patterns of operational activity demonstrating when the route along the St. George Hotel was previously selected; and the use of electronic countermeasures.

22. Certain individuals interviewed by the Commission have emphasized that government security arrangements for Mr. Hariri had been reduced, in terms of his security detail and convoy facilities, in the period following his resignation as Prime Minister of Lebanon. The impact of that is being evaluated by the Commission, both in the political context and from an operational perspective.

23. The Commission is examining information and developing investigative hypotheses that Mr. Hariri was the subject of earlier operational activity by the alleged bombing team, including surveillance of him and his convoy and reconnaissance of various locations. The Commission also has information indicating that a number of opportunities may have arisen to deliver the attack on Mr. Hariri but were not acted upon by that team for reasons as yet to be fully understood by the Commission.

24. For example, the Commission has received information that earlier movements of Mr. Hariri during February 2005 may have been responded to by the alleged bombing team either as a rehearsal for the attack on 14 February or indeed as an attempt to kill him. This aspect of the investigation is an important component in understanding the capabilities, operational support mechanisms and intent of the alleged bombing team, as well as in providing indications of the timing of the decision to kill Mr. Hariri. Because of this alleged earlier activity, further investigative leads have become available beyond those offered by the attack of 14 February 2005 alone.

25. It is apparent that the operational methodologies and associated mechanisms relating to the security panoply of Mr. Hariri during the period since he had ceased to be Prime Minister created a number of vulnerabilities, which enabled the attack on him to be perpetrated more easily than it would otherwise have been. For instance, the time of day the convoy needed to depart from Parliament to return to Hariri's residence meant that only one obvious route option was available to return Hariri in a timely manner for his next appointment.

26. Similarly, a working hypothesis is that the alleged bombing team knew that electronic countermeasures may have been a factor in protecting the convoy and

Hariri. They therefore may have chosen a method of attack that rendered the use of such countermeasures and their technical capability, deterrent effect and operational capacity on the day in question irrelevant to their plan.

27. It may also be a contributing factor to the successful execution of the crime that the position of Hariri's vehicle within the convoy was regular and largely predictable over a period of months leading up to the actual attack, and that Hariri chose to drive his vehicle himself. The Commission is aware that this was not an unusual practice by Hariri, and it may have enabled him to be more easily identified and pinpointed than he would have otherwise been. The Commission continues to investigate the relevance of this particular aspect of the crime.

28. Other relevant issues have been clarified to the satisfaction of the Commission. For example, a vehicle alleged to have been following the convoy as it left a local café and the vicinity of Parliament has been discounted from its current working hypotheses as most likely not relevant. Similarly, the supposed deliberate delay in the final leg of the convoy's route caused by a combination of vehicles and traffic lights is not deemed relevant, as the interviews of convoy personnel did not elicit such evidence. Additionally, the likely modus operandi of the alleged bombing team did not demand such a complex and precise action within their overall plan.

29. The Commission believes the plan was sufficiently professional in its compilation and flexible in its execution that the exact timing of the convoy's movement towards St. George Hotel was not critical, and that the success of the operation was not conditional upon precise movements of the vehicles. This is exemplified by the relatively unpredictable nature of Hariri's actions once he left Parliament and crossed the road to visit the café, instead of departing in his convoy immediately.

30. This spontaneous pause lasted approximately 15 minutes and could not have been predicted by the alleged bombing team. The communications traffic between alleged members of that team went silent during that period, and resumed only after Mr. Hariri had left the café and departed on the route back to his residence. Thus, the plan of the alleged bombing team coped with such latitude in the time taken by Mr. Hariri to commence the return to his residence, and the team was still able to execute the plan.

Crime scene witnesses

31. A series of systematic interviews and re-interviews of over 25 crime scene witnesses has been largely completed. The Commission is now satisfied with a number of previously unclear issues; for example, the exact movements and positioning of the Mitsubishi van at the final stages of the operation, and establishing a commonality of understanding of the events at the time of the explosion, including whether two sounds were heard.

32. Blast-scaling explosion experiments have been conducted to collect data regarding the possibility of one or two explosions, above or under the ground. The objectives were to visualize the fireball, assess the effects on structures, estimate the behaviour of high velocity fragments, estimate the size and features of the crater, and register the shock pressures and record sound pressures with microphones at different distances, combining incident and reflected waves from any reflecting surface. Numerical simulations will enable the Commission to establish if the

location and situation of each witness at the time of the explosion is consistent with their likelihood of hearing one or two sounds at the moment and immediately after the explosion. One final phase of interviewing is necessary to conclude this aspect of the investigation, in which the noise recordings of blast or sound wave experiments, conducted in part to identify the aural properties of the blast relative to the location of each witness at the scene, will be replayed to each witness. Subject to those findings, at this stage, the Commission's favoured hypothesis is that there was only one blast, and that the phenomenon of two sounds being heard by a number of witnesses can be scientifically explained.

Rafik Hariri timeline

33. The Commission has expanded its investigations into the last days of Mr. Hariri's life, and has extended the period of scrutiny backwards in time. Important information is emerging through the interviews to date of 15 individuals associated in some context with Hariri over the months prior to his murder. Such people include those with influence in Lebanon and in the broader region, those who worked and managed his personal and professional affairs, visitors to his residence in Beirut and other residences, staff in the residences, and those with whom he had business or political relations.

34. The Commission is reconstructing Mr. Hariri's life in the period leading up to his assassination from a number of different perspectives, including examining his political situation and his relationships domestically and internationally, his meetings with his associates and other prominent individuals, his movements inside and outside Lebanon, his private and personal discussions with friends, his expressed opinions, thoughts and moods as perceived by others, his business affairs, including the management of his media interests and media portrayal of his interests and activities, relevant financial matters as they affected his political position, professional relationships and private arrangements, and his personal movements both within and outside his residence.

35. It is apparent that there are converging business, political, economic, and personal factors that provide the context of Hariri's life during this period. When these themes are integrated into a heightened threat environment and matched against alleged operational activities of the bombing team, they create a picture of Hariri's last weeks seen from a number of perspectives. Similarly, these themes are being developed by the Commission in order to understand if any or all of them led to conditions that prompted the decision to assassinate him. This area of the Commission's work will continue to develop and expand with further interviews and the collection of information planned throughout the next reporting period.

New and ongoing investigation leads

36. The Commission has identified a considerable number of new leads for investigation relating to the crime scene, its vicinity and the immediate perpetration of the crime, and has begun investigative and analytical work on each one of them. The topics include the investigation of the circumstances surrounding particular individuals and vehicles at the crime scene before, during and in the immediate aftermath of the explosion, other associated items after the explosion and the examination of allegations of tampering with the crime scene following the explosion.

37. These investigation leads arise from analysis of existing information and from the collection of new information, and vary in their relevance and their magnitude; however, they all require considerable development. The Commission anticipates that once completed, further information arising from the crime itself and the immediate environs will provide additional links towards those who perpetrated the crime.

38. The Commission also continues its investigations into other key aspects of the case, including the acquisition of the Mitsubishi van, the acquisition of the explosives and the preparation of the van as the carrier of the device, and the identity and manner of participation of the individual initiating the detonation of the IED, either from within or close to the front of the Mitsubishi van.

2. Individuals involved in the commission of the crime

Communications analysis and investigation

39. The Commission has devoted considerable resources to the analysis and investigation of the communications traffic aspects of the case. This topic has yielded important results, and enables the Commission to establish links that otherwise would not be evident. Much of the work is reactive in nature. However, some of the analytical work is also proactive and speculative, and builds upon known facts and develops investigation themes. It has elicited a number of leads and continues to provide the Commission with better understanding of the communications linkages relevant to the crimes.

40. The links that are being established through the communications work demonstrate a complex network of telecommunications traffic between a large number of relevant individuals, sometimes through intermediary telephone numbers or locations and sometimes directly. A series of investigation leads has been developed as a result of these analyses, which the Commission regards as a priority. Much painstaking work is required to track down each individual connection or link and exempt it from the enquiries or continue with it as a working lead. Similarly, the Commission understands better the preparatory aspects of the attack through its communications analysis; this work remains ongoing in conjunction with timeline analyses, and is one of a number of areas where comparative analysis with the 14 other cases is being pursued. For example, knowledge of the activities of the six subscriber identity module (SIM) card holders who are alleged to have been part of the bombing team, both geographically and in communications terms, has become clearer and more detailed.

41. The Commission has also developed direct and indirect linkages between significant individuals in disparate groups that are relevant from an investigative perspective. Explanations for these linkages are in some cases not immediately apparent, and the Commission is working to understand their relevance to the crime itself, to those potentially linked to it and to other individuals.

42. The international dimension of the communications analysis continues to provide investigative leads, as the Commission develops its knowledge of the complexities of international call routing and receives responses to its requests from States where telephone call traffic has been traced. To date the Commission has engaged 17 States in this aspect of its work, and has received considerable assistance and responses from a number of them.

43. The relevant communications links emanating from within Lebanon or outside the country of those individuals whom the Commission wishes to interview and/or continues to investigate are being systematically reviewed, and the results are providing further investigative leads.

44. The Commission also continues to examine local, regional and international linkages between numbers associated with Ahmed Abu Adass and other individuals, a number of which are of specific interest. The Commission continues to analyse telephone traffic activity emanating from those numbers alleged to have been used by those allegedly involved in the attack on the day of 14 February 2005.

Ahmed Abu Adass and associated aspects

45. Following extensive investigative steps and analysis of electronic data, documents, artefacts and other items, the emerging profile of Ahmed Abu Adass and his activities is becoming clearer. His profile is distinct in that he seemingly had more academic and intellectual interests and less technical orientation than that associated with members of terrorist groups engaged in the operational aspects of terrorist activities, at least in Lebanon.

46. The Commission continues its examination in detail of every aspect of Ahmed Abu Adass's involvement in the crime, including the validity of the claim of responsibility he delivered in the videotaped message. It continues to work along two investigative tracks, one being that he was a willing participant in the crime, and the other that he was coerced into delivering the message. Either avenue remains a factual possibility at present, and further investigations are ongoing to ascertain the correct hypothesis.

47. The Commission is investigating the events surrounding the delivery of the tape and note to a location in downtown Beirut, and the five associated telephone calls to *Reuters* and *Al Jazeera* following the attack. Two of the calls claimed responsibility for the attack and three were related to the tape and the note that were provided.

48. General forensic analysis, DNA and fingerprint research, media forensic analysis and document examinations of the tape in which Ahmed Abu Adass claims responsibility for the attack, on other associated items and on the physical modalities of delivering the message have been completed. thirty-two identifiable fingerprints, three palm prints and three mitochondrial DNA profiles have been collected from the exhibits. The Commission is making comparative analyses of these results with other records, and is evaluating them with a view to conducting further interviews of relevant persons in connection with this aspect of the case and undertaking further comparative forensic analyses.

49. The Commission also maintains its awareness of individuals who have operated in Lebanon and the region in the recent past in a criminal context, and continues to assess their activities for the relevance or otherwise of their possible involvement in the crimes. The Commission is also undertaking further work in relation to the hypothesis of compartmentalization of the crime, as well as on the circumstances regarding the placing of the videotape on which the claim of responsibility by Ahmed Abu Adass was recorded.

Knowledge of the crime

50. The Commission is pursuing leads concerning individuals who apparently had some degree of substantive information in varying degrees of detail about the attack prior to its execution. This investigative theme falls into two categories: those who knew something about the forthcoming attack in some context or another but said or did nothing about it, or were unable to do anything about it; and those who knew something or were informed of some aspect of the attack and somehow tried to deliver a warning to Hariri or a person close to him.

51. Each of the above-mentioned categories is of interest to the Commission. For example it is apparent that a number of individuals from various backgrounds believed that Hariri was likely to be subject to an attack, even more so than in the ordinary context of his status, past professional life, regional dynamics and existing circumstances. There is also information that leads the Commission to believe that certain individuals knew that an attempt on his life was imminent. In this regard, the Commission is undertaking a series of interviews with those whom it believes can assist it in these lines of inquiry.

52. There is evidence to believe that Hariri was aware of a heightened threat against him, and that he himself had discussed that situation at length with a number of individuals, and had factored the unusually elevated threat environment into his thinking, approach, activities and movements over the last few weeks of his life. The Commission has been collecting evidence on this topic. It is an important aspect of its work, as it assists in understanding the extreme nature of the crime.

The political, military, police and intelligence environment of Lebanon

53. The Commission continues to conduct a number of interviews and re-interviews of representatives or former representatives of the Syrian and Lebanese Government structures. This work will remain ongoing throughout the next reporting period, and remains of key importance in understanding the political structure and security environment that existed in Lebanon at the time of the attack. This work is augmented by additional interviews and the collection of information from persons of influence and other individuals of relevance in Lebanon and the region, to obtain the required knowledge of different perspectives of the systems that were in place at the time and better understand the contextual environment in which the attacks took place.

3. Persons who commissioned the crime

Motives for the attack

54. The Commission continues to investigate both the possibility that a single group, with a singular intent and capacity, committed the crime, or that a well-defined or disparate collection of individuals or groups joined together with differing motives and intentions to commit the same crime.

55. The Commission has identified several different potential motivations, not necessarily mutually exclusive, that may have led to the decision to carry out the assassination of Hariri, and it remains seized of the possibility that there may be more theories to consider. Some of these motives may be similar to those of other attacks the Commission is investigating in Lebanon. Such motives are apparently of

varying levels of international, regional and national relevance, and relate to political, economic, financial and business matters.

56. The Commission is, for example, establishing to an evidential standard information on the political environment that surrounded Mr. Hariri at the time of and prior to his assassination, such as the introduction of Security Council resolution 1559 (2004), the issues surrounding the then forthcoming national elections in Lebanon, relations with other States in the region, the Al Madina Bank affairs, business and media factors, and his personal relations with political actors and other relevant individuals at all levels. As stated before, the Commission appreciates the possibility that there may have been more than one motivating reason for perpetrating the crime. This area of the Commission's work is to be further developed in the next reporting period, and a number of investigative steps will be undertaken, including the conducting of a considerable number of interviews in Lebanon, the region and internationally, and the analysis of documents and other information currently in the possession of the Commission and of future anticipated data.

B. Technical assistance in the other cases

57. In line with its mandate as expanded on 15 June 2006 by the Security Council in its resolution 1686 (2006), the Commission has extended further its technical assistance to the Lebanese authorities in the 14 cases discussed in its last report. The Commission dedicated a multidisciplinary project team to this task comprising legal, investigative, analytical, forensic and communications expertise, which continues to work closely with the Prosecutor General of Lebanon.

58. In the previous report, the Commission stated that it had created analytical files for each of the 14 cases, based upon the existing information available during that period. During this last reporting phase, the Commission translated over 1,000 pages of documents relevant to the cases, and developed the case files for each case by adding to the existing information previously collected. This work remains ongoing, with over 3,000 further pages to be translated. The Commission will develop further its support mechanisms with the Prosecutor General of Lebanon and the relevant investigating magistrates during the next reporting period.

59. The Commission has also focused its technical assistance on three specific areas for each case. The first area is the support of forensic investigation and analysis for each case. The second is communications research, where horizontal analysis of each attack and the associated communications traffic is being undertaken. The third is the conduct of interviews, where the subjects chosen for interview can provide individual case depth of knowledge and potentially also horizontal multiple case commonalities, including the necessary development of potential factual and evidential themes relating to the Hariri case.

1. Forensic analysis

60. The Commission continues to review in detail the forensic evidence available concerning the cases, and recognizes the varied levels of detail in each individual case. It is preparing to implement a plan designed to maximize the forensic investigation possibilities, which will be discussed with the Prosecutor General of Lebanon and the investigative magistrates. Upon agreement, the Commission will begin with a collection phase designed to augment the forensic acquisition of data

for each case. It is the intention to arrive at the best possible level of forensic information that can be acquired at this stage of each of the cases, given that all 14 of the attacks occurred between nine months and almost two years ago.

61. As this work progresses, the objectives will be to enhance each case where possible, and to seek forensic evidence linking the cases. Thus, the work with the forensic laboratory of the Lebanese Internal Security Forces performed earlier in the year to evaluate the scientific results will be finalized by the analysis of the crime scene management of each case. This will be undertaken through meetings and interviews with the first responders at each scene of the crime.

62. The Commission is currently studying all the pictures and images of the sites where the explosions occurred, comparing them with the results obtained from the explosions experiments conducted, to enable it to establish, if possible, the nature of the IED used and its probable location for each case. This forensic comparative analysis will be augmented by the comparative seismological analysis of the records of the signals recorded by the National Center of Geophysics in Lebanon. Also, the forensic evidence found in these cases is being compared with that of the Hariri case, for instance by using common fingerprints and DNA databases to establish horizontal forensic linkages.

2. Communications

63. The Commission has assembled millions of telephone call records and separated those of interest that span a selected time period surrounding each of the 14 attacks. The objective of this project is to lift from the vast amount of communications traffic occurring in Beirut during the period of the attacks those numbers that have commonality between the attacks and links to other potentially relevant numbers.

64. For example, from the perspective of mobile telephone communications traffic alone, one individual using multiple numbers has been preliminarily linked in a broad geographic context and within a specific common temporal period to a number of the attacks. Four other people have been linked to this person in some of those attacks. The Commission will continue such analytical work and assist the Prosecutor General of Lebanon by investigating the links, conducting appropriate interviews and developing further leads for follow-up.

3. Interviews

65. Following the expansion of the mandate on 15 June 2006, this aspect of the work began, and the Commission has conducted a number of interviews relevant to the six targeted attacks. These interviews have elicited information and evidence of considerable significance, and have provided many leads that require follow-up. In particular, a number of new interviews are being planned to maintain the momentum of this avenue of investigation over the coming reporting period, reinforcing results particularly in the significant area of linkage within the cases.

66. The immediate impact of the interviews undertaken is evident in that a commonality of themes for the investigation is apparent between two or more cases. Links are being developed that relate to the motive and perpetrator aspects of the attacks and, as mentioned in the previous report as a hypothesis, the data being collected provides preliminary information of a "layering" of the motives for these

crimes. At one level, the reason for the attacks may be based on motives associated with each victim individually. At another level, the attacks may fit into a broader scheme of intent. This concept of culpability remains critical to the cases and the commission of the crimes, and is one which the Commission will continue to consider and concentrate on.

67. The Commission has strengthened its preliminary conclusion that the 14 cases were not commissioned and executed by 14 disparate and unconnected persons or groups with an equal number of separate motives, and is developing evidence that links the cases into differing groupings. As such, the Commission is anticipating that further links between the cases may become evident upon further collection of information and evidence.

4. Further assistance

68. As indicated in the previous report, all the cases are at varying stages of their development by the Lebanese authorities. The Commission's primary objective for the 14 cases in the coming reporting period is to expand the quality and the quantity of the information and the evidence for each case, where possible, by providing investigative capacity, coordinating capability, horizontal analysis and technical assistance to the Prosecutor General of Lebanon, and through his office to the respective investigative magistrates.

69. Another objective of the Commission is to work with the Prosecutor General of Lebanon in developing operational interconnectivity between the investigative magistrates in support of the conjoined direction on all cases. The Commission believes there is added value to coordinating the investigative activities of all the cases and scrutinizing them not only individually, but in a number of different ways as a single unified group of 14 cases, or as two or more smaller groups, linked to one another by one or more factors.

III. External cooperation

A. Interaction with the Lebanese authorities

70. The Commission has continued to interact closely with the Lebanese authorities on practical, investigative and legal issues that are relevant to its mandate. A total of 12 new written requests were sent to the Lebanese authorities during the reporting period. The Government of Lebanon, the Prosecutor General and his senior staff, the investigating judges assigned to the cases and the liaison officer appointed by the Internal Security Forces have remained clearly committed to the mandate of the Commission and have supported its efforts throughout the reporting period, despite the tense security situation in Lebanon caused by the recent conflict. The Commission would like to thank them for their support and assistance.

71. The Commissioner met twice with the Prime Minister of Lebanon and held regular meetings with the Minister of Justice and the Prosecutor General during the reporting period. Technical working-level interaction also continued, even after the Commission's temporary relocation outside of Lebanon. As part of the Commission's provision of technical assistance to the Lebanese authorities, meetings were also held with the civilian and military judges and investigating

judges in charge of the different cases to discuss the progress of each case, their possible links to one another and all other matters related to the provision of technical assistance.

72. The Commission has continued to share with the competent Lebanese authorities all relevant documentary, testimonial and physical information obtained in the course of its investigations, with the exception of information that could compromise the safety of a witness or the national security interests of a State. Even in such cases, the substance of the information is communicated to the Lebanese authorities in a manner that does not compromise the interest of the witness or the State.

73. The Commission also continues regularly to provide the Lebanese judicial authorities with information, interviews and documentation relevant to those detained, to enable them to take any steps they deem appropriate or necessary. In this connection, the Commission is finalizing the conduct of interviews and the review of extensive documentation in order to assess the credibility of witnesses in the Hariri case. The Commission will continue to regularly provide the Prosecutor General of Lebanon with any information in relation to this matter.

74. The Commission remains available to provide further technical assistance in relation to any other incident or case within the scope of its expanded mandate, should the Lebanese authorities so request.

B. International cooperation

75. The Security Council, in its resolutions 1636 (2005) and 1644 (2005), adopted under Chapter VII of the Charter of the United Nations, reiterated its call upon all States to cooperate with the Commission. Unlike situations involving mutual legal assistance, where each State can negotiate a framework for cooperation on criminal matters, States are required to cooperate with the Commission and to take any steps necessary under their own law to implement their obligations under the above-mentioned resolutions.

76. Acting on that basis, the Commission has continued to request the cooperation of States in technical, judicial and legal matters relevant to the fulfilment of its mandate. Specifically during the reporting period, the Commission submitted a total of 28 separate requests to different States and international organizations seeking to obtain information and documents, facilitate witness interviews, and provide technical assistance and expertise.

77. As it has done in previous reports, the Commission requests that States contact the Commission if they possess or have access to any information that may be relevant to the Hariri investigation or the Commission's other cases. The Commission welcomes any information from States that would advance the investigation, whether it is directly linked to the assassination of Mr. Hariri, the other attacks being investigated, or the general political and security situation prevailing in Lebanon at the time of the attacks. At this stage of its investigation, the Commission would also find it very useful to receive assistance from States in such matters as interviews with diplomatic representatives and the provision of further technical intelligence and imagery products.

1. Cooperation with the Syrian Arab Republic

78. The Syrian Arab Republic is required to cooperate fully with the Commission, as specifically mandated by the Security Council in its resolutions 1636 (2005) and 1644 (2005), adopted under Chapter VII of the Charter of the United Nations. Pursuant to the common understanding reached between the Commission and the Syrian Arab Republic earlier in the year, the cooperation of the Syrian Arab Republic with the Commission has continued to be timely and efficient.

79. During the reporting period, the Commission submitted 11 formal requests for assistance to the Syrian Arab Republic, seeking information and documentation about certain individuals and groups as well as statements obtained from persons in the course of investigations conducted by Syrian authorities. Working meetings were held with Syrian officials, and extended discussions took place as a result of requests to meet with persons with knowledge of particular topics of relevance to the Commission's work.

80. Documentation was also provided by the Syrian Arab Republic relating to experiments conducted concerning the properties and impacts of various controlled explosions, and follow-up meetings have taken place with experts of the Commission and the Syrian Arab Republic to discuss those experiments. Further information has been received recently concerning this topic, and is currently being evaluated and researched by the Commission.

81. In addition, the Commission requested the Syrian Arab Republic to assist in the facilitation of witness interviews in the Syrian Arab Republic. During the reporting period, the Commission conducted a number of missions to the Syrian Arab Republic, during which 11 interviews were carried out, including of Syrian Government officials. The interviews were arranged by the Syrian authorities in accordance with the requests of the Commission, and the Commission is satisfied with the speed with which that was done, as well as with the logistical and security arrangements for those interviews. In terms of the qualitative cooperation of Syrian officials being interviewed, the Commission continues to closely monitor the depth and validity of responses provided, and finds it necessary to undertake corroborative interviews. This aspect of cooperation is driven by the individual responses of each person being interviewed on a topic-by-topic basis, and the Commission has found the level of cooperation to be variable.

82. The level of assistance provided by the Syrian Arab Republic during the reporting period remained generally satisfactory, with the Syrian Arab Republic responding to the requests of the Commission in a timely manner. The Commission will continue to insist on the Syrian Arab Republic's full cooperation, which remains crucial to the swift and successful completion of its work.

2. Cooperation with other States

83. The Commission continues to require the expeditious assistance and full support of States on technical, legal and judicial matters relevant to the investigation. During the reporting period, there were a number of requests for assistance submitted to States and international organizations, and a number of follow-up letters. Since 15 June 2006, a total of 16 new formal requests for assistance have been sent to nine States, in addition to the requests for assistance

addressed to the Syrian Arab Republic and the regular interactions with the Lebanese authorities.

84. As in previous reporting periods, most States responded in a positive and prompt manner to the requests of the Commission, and have supported its work, including by providing forensic technical assistance, technological support, tracking and analysis of telephone communications, and facilitating witness interviews. In the light of the importance of the cooperation of States for the furtherance of the investigations without delay, the Commission trusts that it will enjoy the full and prompt cooperation of all States during the next reporting period.

IV. Organizational support

A. Internal procedure

85. The Commission continues to adopt and streamline its internal procedures, in accordance with Security Council resolution 1595 (2005) and in view of the possible establishment of a tribunal of an international character. These internal procedures are based on relevant international standards, but also take into account Lebanese law and judicial procedures, and the practice of the Commission since its establishment.

86. The Commission is also consulting with States about further support that can be given to enable it to offer a range of protective measures to witnesses and sensitive sources.

87. Further to Security Council resolution 1686 (2006), in which the Council expresses its support for the Commission's intention to provide further technical assistance to the Lebanese authorities in relation to the other cases, the Commission has also been reviewing its procedures. The Commission investigators have conducted interviews pertaining to those investigations, without the presence of representatives of the Lebanese judiciary, using the Commission's own standards and procedures to conduct the interviews. The Commission notes that there are certain differences between the standards and procedures for conducting interviews under Lebanese law and those that arise under international law. On one hand, the Commission considers that it should respect all due international standards. On the other hand, it is aware of the responsibility to ensure that the testimonial, forensic or other evidence that it collects during the course of its work on all the cases shall be admissible before any Lebanese court in which any accused persons may ultimately be tried.

B. Temporary relocation in Cyprus

88. The reporting period was marked by the rapidly deteriorating security situation in Lebanon, which ultimately resulted in the temporary relocation of all international staff of the Commission to Cyprus. As the general security environment in Lebanon deteriorated significantly beginning on 12 July 2006, the Commission commenced business continuity planning for a possible emergency situation affecting the main operating base or for partial or full relocation of its international staff. Meetings were held with the Prosecutor General of Lebanon to

discuss plans to preserve case materials, including evidence, documents, electronic files, exhibits, artefacts and legal materials in the Commission's possession, notably those collected at the crime scene. Following a change in the security phase level for Lebanon from phase three to phase four, all international staff were required to leave Lebanon in accordance with United Nations security regulations. On 21 July 2006, the Commissioner informed the Prime Minister of Lebanon of the temporary relocation of all international staff, who departed that day to continue activities from Cyprus.

89. While the events in Lebanon and the relocation to Cyprus undoubtedly affected the operations and productivity of the Commission during the reporting period, that impact has been kept to a minimum, thanks notably to the generous assistance of the United Nations Development Programme and the United Nations Peacekeeping Force in Cyprus in ensuring that the Commission could make use of temporary office accommodations immediately upon its arrival. The Lebanese and Cypriot authorities, the United Nations Interim Force in Lebanon, the Economic and Social Commission for Western Asia, and the relevant departments at United Nations Headquarters, supported the Commission throughout the process of evacuation and relocation. The Commission also wishes to acknowledge the very helpful support provided by certain States in facilitating regular missions for Commission personnel back to Lebanon to carry out investigative activities, including interviews.

C. Systems management

90. During the reporting period, significant advances have been made in the area of information management, where a new investigations and analysis information system incorporating state-of-the-art analytical tools has been designed and implemented. This system will further increase the ability of the Commission to analyse and exploit its information and evidence holdings. In addition to this system, a number of other ancillary information systems have been enhanced, finalized and introduced. Further standard operating procedures and workflows have been developed to assist and guide staff in information acquisition practices and document management.

D. Administration

1. Recruitment

91. The rapid strengthening of the Commission's institutional capacity continued to be one of the key tasks of the Commission during the reporting period. The recruitment of competent personnel within appropriate timescales remained a significant challenge for the Commission and delays in the recruitment process impacted the Commission's ability to fulfil its mandate in a timely manner.

92. While vacancy rates decreased in the previous reporting period, they went up during the current reporting period, owing to an increase in the number of posts approved in June 2006 and the disruption to the recruitment process caused by the conflict in Lebanon.

93. An assessment of candidates put forward by States and international agencies is in progress. It is therefore anticipated that the vacancy rates will again continue to decline steadily as more candidatures are received, reviewed and recruited. The Commission is grateful for the positive responses received so far from States and international institutions, and would like to emphasize the need for their continued assistance in making qualified and skilled human resources available to the Commission on a regular basis to ensure continued stability and progress.

2. Budget

94. The Commission recently submitted a new budget for the year 2007. The budget proposal, submitted in August 2006, makes provision for 188 international staff, reflecting a small increase of 13 international staff. The increase comprises five investigations personnel for the technical assistance cases, one additional security officer and seven administrative posts.

E. Security

95. The security of the Commission staff, premises and assets continues to be a priority. The deterioration of the general security environment in Lebanon and the wider region during the reporting period has worsened the situation, while the focus of the investigation increases the probability of individuals or groups attempting to execute threats against the Commission or its personnel for the purpose of disrupting its mandate. The primary focus of security operations is therefore to enable the continuation of the mandate of the Commission by ensuring maximum security for all personnel, facilities and assets.

96. The Commission's security operations team, in coordination with the Lebanese Armed Forces and Internal Security Forces, coordinated a safe and secure relocation of the international staff of the Commission and essential investigation materials from Beirut to Cyprus, while maintaining security of the Commission's main operating base in Beirut. The Commission's security team continues to review and update the threat and risk assessments relating to the Commission to ensure that all critical aspects of security are consistent with security standards. As required, standard operating procedures and contingency plans are developed or adjusted on the basis of the current threat and risk analysis.

F. Supplemental memorandum of understanding

97. The negotiations with the Government of Lebanon regarding the terms of a supplemental memorandum of understanding to supplement and modify the original memorandum of 13 June 2005 were put on hold when the Commission temporarily relocated to Cyprus. They are expected to resume and conclude soon. The draft supplemental memorandum of understanding, which has been prepared in consultation with the Office of Legal Affairs of the United Nations Secretariat, addresses such issues as the legal status of the Commission's premises and the privileges and immunities of the Commission and its staff.

V. Conclusions

98. The Commission is grateful for the outstanding support and work undertaken for the benefit and security of Commission personnel and property by the Lebanese authorities, in particular the Armed Forces and the Internal Security Forces, especially considering the particularly difficult circumstances that marked the reporting period.

99. In the Hariri investigation, the Commission continues to finalize its primary crime scene work, including its forensic research and analysis, and it is satisfied that it has largely established the facts to an evidential standard. The crime scene and associated elements now are providing investigative leads of a secondary nature, as the Commission delves deeper into some of the issues that have arisen from its work on these topics.

100. The Commission will continue to develop its understanding of linkage to the perpetrators at all levels in the Hariri investigation. In the coming reporting period, the Commission's strategic objectives are to undertake approximately 50 key linkage-related interviews; collect and analyse a large amount of already identified electronic data, technical intelligence and documentation; develop its communications, horizontal and vertical linkages between all the cases; continue with its forensic programme; and develop further sensitive sources.

101. The Commission's work in relation to the 14 other cases helps place the attacks into the prevailing context at the time, and is beginning to produce links notably in identifying potential conjoining motives. Establishing the depth, breadth and nature of those links to an evidential standard is an investigation priority over the next months.

102. As the investigation narrows its focus methodologically and refines its working hypotheses, progress will be accelerated from the development of further witnesses with inside knowledge of the crime and its associated elements. The Commission is putting in place witness protection mechanisms in order to allow more individuals with the appropriate knowledge to step forward and assist it in this sensitive area of its work.

103. The Commission emphasizes the importance of international support from States for its work. This is crucial in order for the Commission to maintain its progress and ensure the completeness of its work, and is exemplified by the 72 requests for assistance that have been sent to States and entities in the last six months. The Commission looks forward to receiving further support and interaction with States as it continues its progress in its investigations.

104. The above-mentioned strategic objectives are contingent on the Commission's operational support systems being able to function at the same operational tempo as its investigation activities. This is especially important in the recruitment of personnel, where the Commission will work with the broader United Nations system to ensure that employment timescales match the current operational demands.

105. Noting the progress made towards the establishment of a tribunal of an international character, and given its current mandate regarding the provision of assistance to the Prosecutor General of Lebanon, the Commission will ultimately hand over responsibilities to a prosecutor's office in either case. By applying the principles of objectivity and balance and by respecting international legal standards in its working methods, the Commission aims to provide the best possible platform for either office to continue the work.